[XXVIth YEAR.] THE [No. 1316.]

MARYLAND GAZETTE.

THURSDAY, NOVEMBER 29, 1770.

LONDON, *September* 25.

THE Favourite Sloop is juſt arrived at the Mother-Bank, from Falkland Iſland, and brings Advice, that 5 Spaniſh Frigates, with Land Forces and Artillery, arrived there the 14th of June laſt, and diſpoſſeſſed his Majeſty's Forces of our Settlements on that Iſland.—The Spaniards permitted the Sloop to come home and bring off the People, upon Condition that they ſhould not ſerve againſt Spain, if a War ſhould break out between England and that Crown.—This Report occaſioned the Stocks to fall Three per Cent.

The following is an exact Account of the Number of Ships and Men ſent by the Spaniards from Buenos Ayres, to take Poſſeſſion of Falkland Iſland.

	Guns,	Seamen,	Soldiers.
One Frigate,	30	190	200
Three ditto,	18 each	803	342
One ditto,	20	210	84
	134	1203	526

The Sloop juſt arrived from Port Egmont brings an Account of her having been beat off the Iſland by the Spaniards Three ſeveral Times.

It is ſaid Lord Chatham is much againſt the tedious Form of demanding the Reſtitution of Falkland Iſland from the Spaniards; his Lordſhip, as they have firſt begun Hoſtilities, being of Opinion, that ſome important Blow ſhould be ſtruck immediately on our Part.

Advice has been again received, that there are Ten Spaniſh Sail of the Line, with between 3 and 4000 Troops, hovering about Jamaica and the Leeward Iſlands. Intelligence of this, we are aſſured, was tranſmitted alſo near Three Months ſince by Commodore Foreſt, a few Days before his Death.

A categorical Anſwer has been demanded from the Court of Spain, whether they would immediately relinquiſh all Pretenſions to Falkland Iſland.

This Morning early an extraordinary Packet ſailed with Inſtructions to the Governor of Jamaica.

Bets of 100 to 20 are now laid, that a War commences before the Firſt of November next.

In Caſe of a War, it is confidently ſaid that Lord George Sackville Germain will have a powerful Command.

They write from Amſterdam, that the Merchants there are in great Agitation, on Account of the falling of the Stocks in England, which they look upon as the Prelude of a Rupture between this Kingdom and France and Spain.

We hear that all the Companies of the ſeveral Regiments, both Horſe and Foot, are ordered to be compleated by the laſt Day of next Month at fartheſt.

Three Regiments of Foot are ordered on board the Fleet as Marines.

The Lords of the Admiralty have ordered 14 Frigates to be put into Commiſſion.

Orders are given for Twenty Sail of Tranſports to be ready on Government Contract.

Sir Peter Dennis is appointed to command the Grand Fleet of Obſervation.

Conferences have been held almoſt every Night for a Fortnight paſt at Powis-Houſe, in Ormond-Street, between his Excellency the Spaniſh Ambaſſador and moſt of the other foreign Miniſters: Some Nights theſe Conferences laſted from Eight o'Clock in the Evening 'til near Two the next Morning.

The Spaniſh Ambaſſador diſpatched Three Expreſſes to his Court in the Space of Three Hours after the Meaſures for impreſſing was reſolved upon and had taken Place.

It is reported that the Britiſh Ambaſſador at a certain Court has received Letters of recal.

Meſſengers were Yeſterday ſent to ſeveral Members of the Privy Council in the Country, to repair to Town directly.

Diſpatches are preparing to be ſent with all Expedition to the Governors and Conſuls of the Engliſh Settlements in the Weſt-Indies and Mediterranean.

A Letter from Paris, dated September 16, ſays,

"Though our Court and the Parliament are involved in Cabals and civil Confuſion, which extend in ſome Degree to every Corner of the Kingdom, becauſe the Intereſt of every One is nearly connected with the Diſpute, yet it neither affects nor retards the Preparations in our Royal Docks. The Office of the Intendant of Marine is always open, and always buſy; Diſpatches are continually paſſing to and from the Dock-Yards, and the profoundeſt Secrecy is obſerved. It has tranſpired, however, that complete Naval Squadrons are now equipped at Breſt and Toulon; that Sailors are gathered from all Quarters; and that an incredible Quantity of warlike Stores has been procured from Holland at a very exorbitant Price. The Cauſe of all this is ſtill a profound Secret."

Extract of a Letter from Graveſend, September 24.

"This Afternoon a Melancholy Affair happened at this Place, which, in all Likelihood, will be attended with much Noiſe. The Officers of the Lynx Man of War went on board the Duke of Richmond Eaſt-Indiaman, in order to preſs the *Men*. When they came on board, the Commanding Officer was told by the Chief Mate of the Indiaman, that the Seamen had ſeized the Arms Cheſt, and were determined not to be preſſed. On this, at high Water, the Man of War dropped along-ſide the Duke of Richmond; the Chief Mate hailed the Man of War, and told the Captain the Seamen were armed and determined to reſiſt, and that he could not be anſwerable for the Conſequence, if they perſiſted in preſſing the People. However the Man of War laid the India Ship along-ſide, and a Scuffle enſued, in which One Man on board the India Ship was killed, and ſeveral dangerouſly wounded; notwithſtanding this, they would not ſuffer the Man of War's People to enter the Ship, on which theſe laſt thought it adviſeable to ſheer off, and the India Ship's People are now come on ſhore."

Sept. 27. The Courier, they ſay, had Orders to wait only Nine Hours for an Anſwer from the Spaniſh Court, and then to ſet out on his Return, even though he ſhould not be furniſhed with any in that Time.

It is ſaid that Orders have been given to the Purſuivants of Arms, at the Herald's Office, not for any of them to be out of Town, but to be within an Hour's Warning.

Yeſterday the Spaniſh Ambaſſador had a Conference of near Two Hours with Lord Weymouth.

The Spaniſh Ambaſſador, it is ſaid, has abſolutely refuſed to anſwer any Queſtions concerning Falkland Iſland, ſaying that he has no Orders from his Court on that Subject.

The Spaniſh Ambaſſador has not been at St. James's on Court and Levee Days as uſual, ſince iſſuing of Warrants for impreſſing Seamen.

We hear that the Papers of the Favourite Sloop of War were examined before the Board of Admiralty held Yeſterday, and referred for further Inſpection.

Saturday, Sunday, and Monday, Expreſſes arrived from Paris at the French Miniſter's, in Conſequence of which, it is ſaid, Preparations are making for his ſpeedy Departure, which cauſes much Speculation.

We hear that his Excellency the Spaniſh Ambaſſador is kept in conſtant Expectation of being recalled, on which Account Preparations are now making for his Departure.

We are credibly informed that no Ambaſſador will be ſent from the Britiſh Court to that of Madrid, and that this is the true Reaſon why one was not immediately appointed on the Reſignation of George Pitt, Eſq;

We are aſſured that Six Ships of the Line are ordered to be immediately completed for Service, before any other of the preſent Armament; which are to proceed, as ſoon as fitted out, to the River Tagus, to demand Satisfaction of the Court of Portugal for the Impriſonment and ill Uſage of Mr. Connel, the Engliſh Merchant at Liſbon.

We are aſſured it is determined, if the Court of Portugal does not immediately give ample Satisfaction for the Inſult offered to Great-Britain, in their illegal and oppreſſive Uſage of our Engliſh Trader, War will be directly declared againſt her.

Three Bomb Veſſels are to ſail with the Fleet to Liſbon, with Orders, as it is ſaid, to bombard that Capital, if ample Satisfaction be not given for the Inſults offered to the Britiſh Nation.

It is certain that Six Sail of the Line will go with the next India Fleet to the Coaſt of Africa.

Yeſterday at a Coffee-Houſe near the Change a Gentleman betted 50 Guineas to 30, that War was declared againſt Spain before the Firſt of November.

We hear that out of 27 Admirals on the Liſt of the Royal Navy, there are not more than 4 that can be ſent with any Command upon actual Service.

We are informed that Orders are ſent to all the Ports in the Mediterranean, to prevent Seamen belonging to Great-Britain entering into Foreign Service; and that a Proclamation will ſoon be iſſued out for their being recalled from the Service of every Foreign Power.

When the Spaniſh Ambaſſador was aſked concerning the Truth of ſome important Intelligence received by our Court, he very politely aſſured the Secretary, that he could not return an Anſwer, 'til he had received further Orders from Madrid.

It is ſurmiſed, that One Ground of the preſent Preparations for War is, ſome ſecret Intelligence received by the Miniſtry, that the Endeavour Man of War, which was ſent into the South-Sea with the Aſtronomers, to make Obſervations, and afterwards to go into a new Track to make Diſcoveries, has been ſunk with all her People, by order of a Jealous Court, who has committed other Hoſtilities againſt us in the Southern Hemiſphere.

Mr. Banks and the famous Doctor Solander were on board the above Veſſel; and are feared to have ſhared the common Fate with the Reſt of the Ship's Company.

The Spaniards have taken care to be armed at all Points to receive us. A new Governor of Cadiz has put that Place, and the adjoining Coaſt, into a proper State of Defence; and General O'Reily, who arrived at Madrid in July or Auguſt from the Havannah, aſſured his Catholic Majeſty, that every Place in that Part of the World had been viſited by him, and was left in thorough Repair.

Thoſe who are to be depended upon ſay, that a Declaration of War will hardly take Place before the Meeting of Parliament, and that the Miniſtry will venture upon no Step of that Kind without the concurrent Senſe of the Legiſlature.

On Friday laſt Two Expreſſes, on the Back of one another, paſſed through Bromley in their Way to Hayes.

It is now generally conjectured, that Lord Chatham's Intelligence came by Means of the King of P———, a friendly Correſpondence having commenced between that illuſtrious Sovereign and the patriotic Earl when in Power, which has ever ſince continued.

The Earl of Chatham is in the higheſt Credit with a great Perſonage; his late Declaration in the H—— of Lords being now verified.

Tueſday Night 20 per Cent. was given to inſure Ships from the Leeward Iſlands, but to return 15 in Caſe of no War before their Arrival.

By a Gentleman juſt arrived from Marſeilles, we learn that 12 Ships of the Line and 6 Frigates ſailed out of Toulon on the 12th Inſtant.

Advice is received, that all the Engliſh Inhabitants at Smyrna were put in cloſe Confinement by the Turks.

The Militia of the ſeveral Counties will be ſhortly ordered out, that many neceſſary Regulations may be made previous to the Declaration of War, which it is now imagined will almoſt immediately take Place.

The talk in the City now is greatly changed. The impending War is no longer dreaded, and Stocks begin to riſe.

All Viſitors are forbid entering Lord Rochford's Office at this particular Time. His Lordſhip's being Secretary to the Northern Department, makes it imagined the Ruſſian Affairs now engroſs the Buſineſs of that Office.

Saturday his Grace the Duke of Northumberland was at Court, and had a Conference with his Majeſty.

Their Royal Highneſſes the Princeſs Dowager of Wales, and Duke of Glouceſter's Domeſtic Servants are all ordered to be in waiting on Monday next, being the Day they are expected home.

It is ſaid, that the critical Miniſtry intend to avail themſelves of the preſent Criſis of Affairs between Turkey and Ruſſia, by demanding an excluſive Trade to the latter with Reſpect to Tin, Lead, coarſe Clothes, Long Ells, worſted Stuffs, and Tobacco, all which are to be exported Duty-free.

Saturday there was a general Preſs for recruiting his Majeſty's Marines in the Borough of Southwark, when above 200 Perſons were impreſſed for that Purpoſe; and on Monday 150 of them were returned as fit and able Men to ſerve their Country.

The Preſs for Seamen began in Ireland the ſame Day it did in London.

The Spaniſh Galleons for this Year are arrived; ſo that ſhould War be declared, no capital Prizes can be expected 'til the following Summer.

It is remarked, that the Plague was ſcarcely ever ſo general as at preſent; that its Approach to us (it raging now at Minorca) is much nearer than for near a Century paſt.

By Letters from St. Kitt's of a very recent Date, we are adviſed, that there have been ſuch Diviſions and Diſturbances in the Aſſembly of that Iſland, as rendered it neceſſary to commit Two of the Members to Priſon, in order that the publick Buſineſs might not be retarded by a factious Oppoſition.

By the KING, A PROCLAMATION.

GEORGE R.

"WHEREAS our Parliament ſtands prorogued to Tueſday the 13th Day of November next; We, with the Advice of our Privy Council, do hereby publiſh and declare our royal Will and Pleaſure, That the ſaid Parliament ſhall, on the ſaid 13th Day of November next, be held and ſit for the Diſpatch of *divers weighty and important Affairs*. And the Lords Spiritual and Temporal, and the Knights, Citizens, and Burgeſſes, and the Commiſſioners for Shires and Burghs of the Houſe of Commons, are hereby required to give their Attendance accordingly, at Weſtminſter, on the ſaid 13th Day of November next.

Given at our Court at St. James's the 26th Day of September, 1770, in the Tenth Year of our Reign.

God ſave the King."

The following is an authentic Copy of a Letter ſent on Monday Night from the Admiralty to the Maſter of Lloyd's Coffee-Houſe, Lombard-Street.

"The Favourite Sloop of War being arrived off the Mother-Bank from Falkland Iſland, brings an Account that a Spaniſh Man of War and Five Frigates, with Artillery and Land Forces on Board, had diſpoſſeſſed his Majeſty of the Settlement of Port Egmont. I am commanded by the Lords Commiſſioners of the Admiralty to give you this Information, that the Merchants and others who are any Ways intereſted therein, may be fully acquainted therewith." (Signed)

ADMIRALTY-OFFICE, September 24.

ANNAPOLIS, November 22.

A few Days ago died at *Charles-Town*, of an inflammatory Fever, greatly lamented, Mr. FRANCIS KEY, Clerk of *Cecil* County; a Gentleman, whoſe Character through Life has been truly amiable.

Arrived at *London*, the *Trimley*, *Greig*.

Extract of a Letter from a Gentleman in Briſtol *to his Correſpondent in this Province, dated* Sept. 7, 1770.

"I wrote you a few Days ago of the Appearance of a War, which then ſeemed rather doubtful, but ſince that the *Favourite* Sloop of War is arrived from *Falkland*'s Iſland, and has brought home all our People, the Spaniards having arrived there in *June* laſt, with Five Frigates, Land Forces and Artillery, and diſpoſſeſſed the *Engliſh*. A Courier is diſpatched to *Madrid*, and unleſs the *Spaniards* make Conceſſions, which it is thought they will not, upon the Return of the Meſſenger, it is not doubted but that War will be declared in Ten Days."

The Piece Signed Ebenezer Mackie, *as alſo a Piece ſigned by the Merchants on* Patowmack, *came too late for this Week's Gazette, but will certainly be inſerted in our next.*

TO HIS EXCELLENCY
ROBERT EDEN, Eſquire,
Governor and Commander in Chief in and over the Province of *Maryland*.

The humble ADDRESS of the Houſe of Delegates.

May it pleaſe your Excellency,

AT the Opening of this Seſſion you were pleaſed to ſay, "that you had only to requeſt that we would proceed to complete the Buſineſs recommended to us at the Opening of the laſt Seſſion of Aſſembly." We ſhall therefore take up that Buſineſs as nearly as can be done, in the ſame State it was dropt by the late abrupt Prorogation. We ſhould be wanting in Duty to your Excellency, to the People and to ourſelves, were we to paſs over, in Silence, a Meaſure from which ſo many ill Conſequences flow. When we view, as its Effects, a conſiderable Charge to the Province; a total Stagnation of Buſineſs for ſeveral Days; Bills of Importance before both Houſes unfiniſhed, that muſt be taken up anew; the Journal of Accounts laying before the Upper Houſe; the Petitions of many People defeated, or with Expence and Difficulty renewed; an Inquiry into the Grievances of others ſtopped, and the Parties laid under a Neceſſity, either of attending at a heavy Expence, or going away unheard; a publick Offender releaſed, and publick Juſtice evaded; we cannot but complain of the Prorogation, as an undue and ill adviſed Exertion of Power, that Power with which your Excellency, as ſupreme Magiſtrate, is conſtitutionally inveſted for the good of the People. Whatever might have been your Excellency's Motive, we may be allowed to conjecture, that as the immediate Releaſement of Mr. *William Steuart* was to be the certain Effect, his Commitment was the true Cauſe of the Prorogation; and as we are unwilling that our Conduct ſhould at any Time appear to your Excellency in a diſadvantageous Light, and think it our Duty to repreſent to you the Miſbehaviour of your Officers, we take the Liberty of preſenting you with a Copy of a Report from the Committee of Grievances at the laſt Seſſion, relative to Mr. *William Steuart*, and of the Reſolves and Proceedings of this Houſe in Conſequence of it; by which it will appear, that he, as Clerk of the Land-Office, by Inſtructions from his Principals, had taken Notes of Hand for the Payment of Fees according to Proclamation or Regulation, which ſhould happen; and had alſo tendered and adminiſtered an Oath not appointed or required by Law. Theſe are Attempts, may it pleaſe your Excellency, which, as Guardians of publick Liberty, we are indiſpenſably obliged to take Notice of, and to ſuppreſs in their very Beginnings. They are ſuch a Violation of the Law, ſuch an Invaſion of the Right of the Subject, as cannot be ſubmitted to by a free People.

The Proprietor has no Right, Sir, either by himſelf or with the Advice of his Council, to eſtabliſh or regulate the Fees of Office, and could we perſuade ourſelves that you could poſſibly entertain a different Opinion, we ſhould be bold to tell your Excellency, that the People of this Province ever will oppoſe the Uſurpation of ſuch a Right.

We will not ſuppoſe that your Excellency had any Knowledge of, or could poſſibly Countenance theſe Tranſactions, and therefore we can with the greater Freedom remonſtrate againſt the Conduct of the Honourable *Benedict Calvert* and *George Steuart*, Eſquires, who have thus daringly inſulted the whole Legiſlature, at that Time aſſembled for the very Purpoſe of regulating Officers Fees, by attempting to introduce a Regulation of Fees by Proclamation; a Meaſure odious to the whole Province; to thoſe eſpecially, who can remember the Time when the illegal Project was firſt ſet on Foot. We are perſuaded your Excellency will, upon every Occaſion, pay a due Regard to our Conſtitutional Rights, and as we cannot but view theſe Proceedings of the Regiſters of the Land-Office as very high Miſdemeanors, and have thought it our Duty to remonſtrate againſt them, we will not entertain a Doubt but that your Excellency, upon this Information of the repreſentative Body, will alſo conſider them as great Infringements of the Rights of the People, and will immediately call thoſe Officers before you, and ſignify your Diſpleaſure at, and Diſapprobation of, their Conduct; and it is our Requeſt, that, upon a Repetition of the Offence, your Excellency will, without Heſitation, diſplace them from their Office.

The impoſing an Oath without the Authority of Law, is an Offence ſo arbitrary and dangerous in its Nature, that we ſhall ſubmit to your Excellency how prudent it may be to continue Mr. *William Steuart* in the Magiſtracy.

Signed by Order of the Houſe,

NOVEMBER 8, 1770. M. TILGHMAN, Speaker.

To which his Excellency was pleaſed to return the following

ANSWER:

Gentlemen,

IT has been the Object of my anxious Attention, and is my very earneſt Wiſh, to cultivate an amicable Underſtanding with the Repreſentatives of the People of *Maryland*; and I am therefore deeply affected with Concern, to be thus driven to expreſs a Diſapprobation of the Spirit, by which ſome of your Proceedings have been guided, and which prompted your laſt Addreſs.

My Duty I ſhall always eſteem it to be, to avoid every Occaſion of reaſonable Complaint; but I muſt not forget, that it is my indiſpenſable Duty to check the Exerciſe of ſuch Powers, as are incompatible with the indubitable Authority of Government, the permanent Security of Property, and the conſtitutional Liberty of the Subject.

Pretences for Cenſure are ſo eaſily framed, that the moſt circumſpect Behaviour cannot prevent them. When they unhappily excite Animoſity, give Riſe to querulous Expoſtulations, tend to promote popular Diſcontent, and obſtruct the Courſe of publick Buſineſs, though the Miſchiefs they produce are much to be lamented, yet, I cannot but derive great Conſolation from Reflection, when they ſpring from Paſſions I am not anſwerable for.

Your poſitive Aſſertion, that the laſt Prorogation was an undue and ill adviſed Exertion of Power, permit me, Gentlemen, to obſerve, carries with it no Reaſoning to convince my Judgment, nor any Authority to preclude a Vindication; eſpecially as the Motives which influenced me to apply for the Advice of thoſe, who are appointed by the Conſtitution to give it, and the Reaſons by which they evinced the Propriety of their Opinion, have not been explained to you.

When Conjecture is indulged, there is great Danger of Deception. Jealouſy may raiſe an Alarm, which an accurate Information of Circumſtances might prevent; and, under this Influence, Animadverſion may be directed againſt the Product of mere Imagination.

Whether it would have been more regular in your Department, to have called for a Detail of thoſe Motives and Reaſons, and arraigned my Conduct, in the Exerciſe of an unqueſtionable Prerogative, becauſe not agreeable to your Views, or conformable to your Ideas, than it would be in mine, ſhould I require an Account of, and, on the ſame Ground, condemn your Conduct, when exerciſed in any peculiar Privilege of your Houſe, I ſhall not undertake to determine; but I muſt remark, that a preciſe Information of the Subject ought to have preceded your peremptory Deciſion upon it, eſpecially a Deciſion derogatory from the Character of thoſe, who are bound by the ſtricteſt Ties not to deſerve the Reproach it conveys.

I do not mean to ſhelter, under Forms, the Principles on which I was adviſed and purſued the Meaſure of Prorogation, and ſhall therefore frankly explain them.——When I acted upon them, I acted on a Conviction that I performed a moſt incumbent Obligation; when I review them, I have great Complacency in the firm Perſuaſion, that I did what I ought, and ſhould have been culpable if I had omitted.

It can hardly, I preſume, be a Queſtion, whether, when a Subject in this Government is illegally deprived of his perſonal Liberty, it is the Duty of the executive Power to relieve him—whether, where the Authority to afford Relief is placed, there the Application for it is regular—where this is cognizable, there the Propriety of it is determinable? The Right of Petition is eſtabliſhed for Purpoſes ſo important, and ſecured and enforced by Sanctions ſo intereſting, that the Repreſentatives of a free People can never, on any Occaſion, diſpaſſionately wiſh to impair or diſcountenance it. They would rather be inclined to connive at Improprieties in the Manner of exerciſing the Right, than ſcan it with a View to Cenſure.

Mr. *W. Steuart*, having been committed, by Order of your Houſe, to the common publick Jail, made his Application to me for Relief againſt the Oppreſſion of an arbitrary Procedure, claiming that Benefit of Protection, to which he, in common with his Fellow-Subjects, is entitled. A Copy of his Commitment was laid before me, by which it appears, that, on the accumulative Charge "of having taken Notes of Hand, as the "Clerk of the Land-Office, for the Payment of Fees "contrary to Law; for impoſing an Oath, as a Juſtice "of the Peace, not appointed and required by Law; "and for an high Contempt of your Houſe," he was committed "to be kept ſafe and cloſe in the publick "Jail, until he ſhould be thence diſcharged by Order" of your Houſe.—I required the Conſideration and Advice of the Council upon all the Circumſtances of the Caſe, and their Opinion was, that you had aſſumed an unwarrantable Juriſdiction, which, if admitted, would cancel all the Guards and Securities, provided by a wiſe and free Polity for the Protection of the Subject; and that, having been illegally deprived of his perſonal Liberty, Mr. *Steuart* was entitled to the Relief which an Exertion of the Prerogative might afford him. In conſequence of this Opinion, and the Reaſons by which it was ſupported, I interpoſed, by proroguing the General Aſſembly from Friday till the Monday next following, after having paſſed all the Bills ready for my Aſſent, and flattered myſelf that a ſhort Receſs (as it had been on other Occaſions) would rather be productive of ſedate Reflexion, than of the heavy Charge, that I had effectually diſmiſſed a publick Offender from Confinement, obſtructed publick Juſtice, and, in Terms of very indefenſible Exaggeration, occaſioned a conſiderable Expence to the Province, and a total Stagnation of important Buſineſs for ſeveral Days.—In Vindication, as well of the Gentlemen of the Council, as of myſelf, I ſhall ſuccinctly rehearſe the Reaſons they advanced in Support of their Advice.—They obſerved, that where the legiſlative and executive Authorities, the Will to ordain Laws and the Power to enforce, are lodged in the ſame Perſon or Perſons, there a Tyranny is eſtabliſhed—that, under this free Conſtitution, theſe Authorities are therefore diſtributed into different Departments—that the executive being in the ſupreme Magiſtrate, neither Houſe of Aſſembly can interfere in the Adminiſtration of exiſting Laws, without a dangerous Infringement of the Conſtitution—that, of the legiſlative, you are but One of the component Parts—that a Right to determine the Fees charged are exceſſive, implies the Right to ſettle the Compenſation due for the Services performed, becauſe, without the Standard, what Fees are adequate, what are more or leſs than the juſt Proportion, cannot be aſcertained—that your rigorous Commitment was bottomed on the Principle, that to you belongs the Authority of puniſhing any Deviation from the Line of your Opinion—that if a preciſe Rule had been regularly pre-ordained by the Law, an Offence againſt it ought to be proſecuted in a legal, ordinary Judicatory—that a Proſecution and Puniſhment in a different Courſe are highly oppreſſive to the Subject affected thereby—that, in the ordinary regular Adminiſtration of Juſtice, our Polity has applied various excellent Precautions for the Protection of the Subject againſt Injury, which would be loſt, if your Houſe were ſuffered to execute the Power you had aſſumed—that, in the ordinary legal Courſe of Proceeding, the Fact is triable by Jury—the Party charged is not bound to diſcloſe what may expoſe him to Penalty—the Jury are ſworn, and, as the Impreſſions of Religion and a Senſe of Juſtice can influence, a juſt and impartial Determination may be expected—if there be reaſonable Cauſe to ſuſpect the partiality of any called to ſerve on the Jury, a Right of Challenge is conferred—if the Jury are corruptly led into a perjurous Verdict, they are liable to Puniſhment [illegible] the Conſequence of their Fallibility [illegible] be controuled by the Diſcernment of [illegible] as the Jury are puniſhable, ſo are the Witneſſes if perjured—the Fact is tried in one Way, the Law is determined in another—As there are Proviſions to guard againſt the Injuries of corrupt and miſtaken Verdicts, ſo are there againſt the Oppreſſion of [illegible] erroneous Judgments—Judges are upon Oath to do equal Right and Juſtice to all Perſons—they are puniſhable for Corruption—their Deciſions are not concluſive in the firſt Inſtance, but are ſubject to Reviſion, for which important Purpoſe a Gradation of Juriſdiction is appointed—the Party is not liable to be harraſſed by a ſecond Proſecution for the ſame Matter.—As theſe Guards and Securities are of ſuch admirable Efficacy in protecting the Property, Reputation, and perſonal Liberty of the Subject, and to which *every* Subject (whether in or out of Office) is as well entitled as *any*, ſo ought they to be zealouſly and firmly maintained; and if the Meaſure proper for their Defence ſhould occaſionally ſuſpend the Tranſaction of other Affairs for a much longer Term than a Day or Two, the comparatively inſignificant Interruption would not deſerve a Moment's Deliberation—that theſe Guards and Securities, ſo eſſential to the Stability of Property, and the perſonal Liberty of the People, upon which ſo great and invaluable Intereſts depend, would become precarious indeed, if, through the Acquieſcence or Inattention of Government, your Houſe ſhould be permitted to aſſume and exerciſe the Power you claimed.——You are not ſworn to determine according to Evidence, to do equal Right and Juſtice to all Men indiſcriminately—the Witneſſes examined before you, in a Caſe of this Nature, would be liable to no Proſecution, if perjured—there would be no diſtinct Cognizance of Fact and Law—no Challenge allowed to prevent Partiality—no Examination of your Conduct, however improper, in any other Juriſdiction—no new Trial, Writ of Error, or Appeal—Your Determination, whether of Acquittal or Conviction, would be no Bar to a ſecond Proſecution in a legal Judicatory.——On theſe Grounds I was adviſed, and purſued the Step which I am convinced was conſtitutional, which the Occaſion required, and which the general Security demanded, and am extremely ſorry that it has proved to be ſo offenſive to you.

Mr. *Steuart* has already ſeverely ſuffered for any Irregularity he may have committed, by a rigorous and ignominious Impriſonment—to inflict double Puniſhment for the ſame Delinquency is not conſiſtent with the equitable Spirit of our Conſtitution, though he may be liable to it.

His Lordſhip's Authority has not yet interpoſed in any Regulation of the Fees of Officers, nor have I any Reaſon to imagine that it will interpoſe in ſuch a Manner, as to juſtify a regular Oppoſition to it. So far as I may be concerned in any ſuch Meaſure, I ſhall take good Care to act on mature Conſideration, and what I ſhall judge to be right and juſt, will be the only Dictate by which I ſhall be determined.

Mr. *Calvert* and Mr. *Steuart* have been made acquainted with your Complaint againſt them, and I ſend you their Anſwer; by which you will obſerve, that they did not [illegible] referring to any Proclamation reſpecting their Dues, nor do I perceive any Irregularity in their Conduct, as I am of Opinion they were not bound to do the Services without an immediate Payment of, or Security for, their Fees: The Rate which had obtained under Act of Aſſembly for more than Twenty-three Years, and expired ſo lately as the 2d Day of *October* laſt, ſeems to be the moſt unexceptionable they could follow. His Lordſhip has, I think, the cleareſt Right to diſpoſe of his real Eſtate, upon ſuch Terms as he may think proper to direct the formal Obſervances in making Titles to his Grants, and to ſettle and regulate the Rewards his Officers in this Department may demand and receive.

Be aſſured, Gentlemen, that I ſhall, on every Occaſion, pay a due Regard to your Rights; that I ſhall never countenance the illegal Exactions of any Officers, nor ſubmit to any Uſurpation, which may eſſentially endanger that conſtitutional Balance of counteracting Powers, ſo neceſſary to the Protection of the People, and the Preſervation of the publick Peace.

Gentlemen,

This Anſwer to your Addreſs you ſhould have received ſooner, but I choſe rather to ſuffer a temporary Imputation, than that your Attention ſhould be diverted from the more important Objects of the depending Inſpection Bill.

ROBERT EDEN.

[illegible] November 20, 1770.

[illegible] ROBERT EDEN, Eſq;

WE return your Excellency our Thanks for the Communication you have favoured us with of the Charge caſt on our Conduct by the Lower Houſe of Aſſembly, and the Opportunity we have thereby of vindicating our Conduct.

When the Act regulating the Fees of Officers, and of ourſelves among the reſt, fell, we thought it expedient to direct our Clerks to receive or ſecure the Fees which might ariſe for Services that might be applied for. We apprehended, and ſtill think, that we were not bound to perform Services without receiving or ſecuring a Reward for them; and in ſettling our Demands we thought the Regulation eſtabliſhed by the late Act of Aſſembly, and which was in Force till the 22d of laſt Month, would be a proper Rule, and therefore directed that the Fees ſhould be charged according to that Regulation, and paid or ſecured in the following Manner: By thoſe who made no Tobacco, in Money, after the Rate of 12/6 common Money for 100lb. of Tobacco; by thoſe who made Tobacco, to be ſecured by their Promiſſory Notes. We directed no Oath to be tendered, nor ſpoke of any Proclamation, and ſuppoſe that the Clerk, if he did adminiſter an Oath, was led to do it by this Circumſtance, that being directed to obſerve the late Regulation, as above, and to diſtinguiſh between thoſe who were Makers of Tobacco and thoſe who were not, and the late Regulation having required an Oath in ſuch Caſe, he therefore might adminiſter it.

As to his Lordſhip's Proclamation, we need not inform your Excellency that none ever iſſued reſpecting the Fees of the Land Office, and therefore we could not refer to it; but the late Proprietor, conſidering it to be an Office concerning his private Revenue, claimed a Right to direct on what Conditions his Lands ſhould be granted, and we humbly conceive that his Claim was juſtly founded. We beg Leave further to obſerve to your Excellency, that our Directions were more indulgent to the People than the Orders which were given by Governor *Hart*, as Chancellor of this Province, when, upon the Lower Houſe of Aſſembly's refuſing to revive and continue an Act for the Regulation and Payment of Officers Fees, which expired in 1719, while the Aſſembly was ſitting, he directed the Perſon who had been appointed to affix the Great Seal, on no Account to affix it to any Paper, either of a publick or private Nature, unleſs the Party applying ſhould inſtantly pay for the Service, according to the Rate which had been preſcribed by the Act that had lately expired. Should his Lordſhip, or his Governor for the Time being, think proper to regulate the Fees of this Office, we ſhall have no Scruple in demanding ſuch, and until then ſhall proceed according to the above Directions. We have, SIR,

the Honour to be, with the greateſt Reſpect and Regard, your moſt obedient and obliged humble Servants,

BENEDICT CALVERT,
GEORGE STEUART.

A LIST of LAWS, *paſſed at the Two laſt* SESSIONS *of* ASSEMBLY.

N°. 1. An Act continuing an Act, entitled, *An Act for amending the Staple of Tobacco, for preventing Frauds in his Majeſty's Cuſtoms, and for the Limitation of Officers Fees, and the Supplementary Act thereto.*

N°. 2. An Act directing the Sale of the Lands of *Richard Heard*, late of *St. Mary's* County, deceaſed, for the Payment of the Debts of the ſaid *Richard Heard*. (A private Act.)

N°. 3. An Act to enable the Juſtices of *Somerſet* County to levy on the taxable Inhabitants of *Somerſet* Pariſh, in the ſaid County, a Quantity of Tobacco for the Purpoſes therein mentioned.

N°. 4. An Act for aboliſhing *June* County Courts, and for other Purpoſes therein mentioned.

N°. 5. An Act for the Adjournment and Continuance of the High Court of Appeals, and for the Adjournment of the Provincial Court, and other Purpoſes therein mentioned.

N°. 6. An Act to inveſt *John Clayton* with an excluſive Privilege and Benefit of making and ſelling a Machine for threſhing of Wheat, on a Model by him invented. (A private Act.)

N°. 7. An Act to give *Thomas Harriſon* further Time to effect the Removal of a Nuiſance in *Baltimore-Town* in *Baltimore* County. (A private Act.)

N°. 8. An Act to empower the Juſtices of *Somerſet* and *Worceſter* Counties, to levy on the taxable Inhabitants of *Stepney* Pariſh in the ſaid Counties, the Quantity of Eighty Thouſand Pounds of Tobacco, for the Uſes therein mentioned.

N°. 9. An Act for empowering the Juſtices of *Queen-Anne's* and *Talbot* Counties, to aſſeſs on the taxable Inhabitants of *St. Paul's* Pariſh, in the ſaid Counties, the Sums of Tobacco therein mentioned, for building a Church, and repairing the Chapel of the ſaid Pariſh.

N°. 10. An Act to oblige the ſeveral County Clerks to have with them, on their Office Days, the Four laſt Courts Dockets and Papers.

N°. 11. An Act to remedy a Defect in the Title of *Bartholomew Pomeroy*, of *London*, Merchant, to a Tract or Parcel of Land, called *Rencher's Adventure*, lying in *Prince-George's* County. (A private Act.)

N°. 12. An Act to unite the Free Schools of *Somerſet* and *Worceſter* Counties.

N°. 13. An Act to enable the Juſtices of *Dorcheſter* County Court, to aſſeſs and levy on the taxable Inhabitants of the ſaid County, a Quantity of Tobacco, for the Purpoſe of building a Court-Houſe.

N°. 14. An Act to repeal Part of an Act to encourage the deſtroying of Wolves, Crows and Squirrels.

N°. 15. An Additional Supplementary Act to the Act, entitled, *An Act for erecting a new Pariſh in Kent County, called Cheſter Pariſh, and for building a Pariſh Church, and enlarging a Chapel of Eaſe within the ſaid Pariſh.*

N°. 16. An Act for the building a Pariſh Church in *Queen-Anne* Pariſh, in *Prince-George's* County.

N°. 17. An Act to remedy a Defect in the Acknowledgment of a Conveyance from *Joſiah Conant* to *William Thornton*. (A private Act.)

N°. 18. An Act to divide *St. John's* Pariſh, in *Baltimore* County.

N°. 19. An Act to inveſt *Peter Perkins* with an excluſive Privilege of making and ſelling a Machine for threſhing of Wheat, on a Model by him invented. (A private Act.)

N°. 20. An Act for the Relief of *Thomas* [illegible].

N°. 21. An Act directing the Sale of Part of the Lands of *Henry Baker*, late of *Cecil* County, deceaſed, for the Payment of the Debts of the ſaid *Henry Baker*. (A private Act.)

N°. 22. An Act for the Relief of *Nehemiah Tilghman* and *Solomon Townſend*, and to confirm the Contract made between the ſaid *Nehemiah Tilghman* and a certain Major *Townſend*. (A private Act.)

NOVEMBER SESSION, 1770.

N°. 1. An Act for the Adjournment and Continuance of *Baltimore* County Court.

N°. 2. An Act empowering *Edward Tilghman*, *Solomon Wright*, and others, to ſell certain Lands deviſed by Col. *Thomas Lowe*, formerly of *Talbot* County, to be ſold for the Purpoſes by the ſaid Deviſe intended. (A private Act.)

N°. 3. A Supplementary Act to the Act, entitled, *An Act to enable the Juſtices of Queen-Anne's County Court, for the Time being, to levy on the taxable Inhabitants of St. Luke's Pariſh, in the ſaid County, a Quantity of Tobacco for building a Chapel in the ſaid Pariſh.*

N°. 4. An Act to eſtabliſh a Market in *Frederick-Town*, in *Frederick* County, and for the Regulation of the ſaid Market.

N°. 5. An Act to remedy the Omiſſion of the Enrollment of a Deed of Bargain and Sale from *Thomas Collier* to *Thomas Lightfoot*, *William Lightfoot*, *Abraham Mitchell*, *Walter Franklin*, and *Samuel Franklin*. (A private Act.)

N°. 6. An Act for the Eſtabliſhment of a Chapel of Eaſe in *St. Peter's* Pariſh, in *Talbot* County.

N°. 7. A Supplementary Act to the Act, entitled, *An Act for the Relief of the Poor within the ſeveral Counties therein mentioned.*

N°. 8. An Act for the Relief of certain Priſoners in the ſeveral Jails therein mentioned.

N°. 9. An Act to divide *All Saints* Pariſh, in *Frederick* County, and to erect Two new Pariſhes, by the Names of *Eden* Pariſh and *Frederick* Pariſh.

N°. 10. An Act to enable *Nicholas Rogers*, an Infant, to demiſe the real Eſtate therein mentioned. (A private Act.)

RESOLVED *nemine contradicente*, That the Charge of Fees (eſtimated at *above the annual Amount* of 60,000 *lb.* of Tobacco) by the Commiſſary-General, *upon Adminiſtrations granted by his Deputies*, and *for which they are paid*, is an *Abuſe* of the *old* Regulation of Fees, *illegal* and *oppreſſive*.

Reſolved *unanimouſly*, That the *additional Charge*, by the Commiſſary-General, of *order* to almoſt every Service done in his Office, (eſtimated at *above the annual Amount* of 40,000 *lb.* of Tobacco) when, by the ſame Regulation, *it was only allowed in Teſtamentary Cauſes*, is an *Abuſe* of that Regulation, *illegal* and *oppreſſive*.

Reſolved *unanimouſly*, That the Charge, by the Secretary and County Clerks of this Province, *for recording of Papers*, in Actions diſcontinued, abated, ſtruck off, or agreed, when they are not, nor need be recorded, is an *Abuſe* of the ſame Regulation, *illegal* and *oppreſſive*.

Reſolved *unanimouſly*, That the Charge by the Secretary, *for making up Iſſues* in the Provincial Court, *when the ſame* is done by the Attornies; *for iſſuing a Venire Facias* for Jurors, when *none* is iſſued; *for Copy of Judgment* on iſſuing Executions; or *for Search and Copy of Judgment* on iſſuing *Scire Facias*, is an *Abuſe* of the ſame Regulation, *illegal* and *oppreſſive*.

Reſolved *unanimouſly*, That the Charge of 300 *lb.* of Tobacco, by Surveyors *for laying down adjacent Tracts*, *merely* to correct the Errors of an original Survey, is an *Abuſe* of that Regulation, *illegal* and *oppreſſive*.

Reſolved *unanimouſly*, That the Charge of 300 *lb.* of Tobacco, by Surveyors, *as for a Reſurvey*, *for ſurveying or laying down each Tract* of Land, on a *Warrant of Survey*, from the Provincial Court; and of 200 *lb.* of Tobacco for any Tract of Land *laid down only for Illuſtration*, is an *Abuſe* of that Regulation, *illegal* and *oppreſſive*.

Reſolved *unanimouſly*, That the Charge, by the Examiner-General, *on every Plat laid down for Illuſtration*, and *on every Piece of Vacancy added*, *as on ſeparate and diſtinct Tracts*, is an *Abuſe* of that Regulation, *illegal* and *oppreſſive*.

Reſolved *unanimouſly*, That the Upper and Lower Houſes of Aſſembly, having ſo far agreed on the Bill for amending the Staple of Tobacco, for preventing Frauds in his Majeſty's Cuſtoms, and for the Regulation of Officers Fees, as that the County-Levy, Clergy's Dues and Attornies Fees ſhould be payable in Tobacco or Money, at the Election of thoſe who ſhould be chargeable therewith, and it being the Duty of the General Aſſembly to enact and provide wholeſome Laws, for the Eaſe, Welfare and Happineſs of the People of this Province, the Upper Houſe of Aſſembly, *after their Negative on the ſaid Bill*, ought to have aſſented to the Bills formed by this Houſe, to provide for the Payment of the County-Levy, Clergy's Dues and Attornies Fees, in *that Manner*.

Reſolved *nemine contradicente*, That the Upper Houſe, Four Members of which hold the Secretary's, Commiſſary-General's and Land-Office, and the Fees of which Offices were attempted to be regulated by the firſt-mentioned Bill, have, in the Intercourſe between the Two Houſes, on the Subject of ſaid Bill, and by their ultimate Rejection thereof, manifeſted an unreaſonable Attachment to the Emoluments of Office, and by their Rejection of the ſaid *other Bills*, *that Houſe* hath evinced an unjuſtifiable Deſign to force this Branch of the Legiſlature, *by the Feelings of the People*, into a Regulation of Fees more correſpondent to thoſe *Schemes of Wealth and Power*, which it is much to be apprehended are formed by *ſome* of the *great Officers* of this Government, and which, if carried into Execution, will tend to the Oppreſſion of the People, and, in the End, greatly endanger their Liberties.

[illegible] Lower Houſe of Aſſembly, Nov. [illegible], 1770.

Ordered, That the above Reſolves be immediately printed in this Week's *Maryland Gazette*, and continued therein Three Weeks ſucceſſively.

Signed by Order, JOHN DUCKETT, [illegible]

ON the Twenty-ſixth Day of *November*, in the Year of our Lord One Thouſand Seven Hundred and Seventy, came before me, the Subſcriber, one of his Lordſhip's Juſtices of the Provincial Court, *Robert Ghiſlin*, Gent. Clerk of the ſaid Court, and made Oath on the Holy Evangels of Almighty God, that the Charges in the Secretary's Office, for filing and recording Papers in Actions diſcontinued, abated, ſtruck off, or agreed; for all Iſſues made up; for iſſuing a *Venire Facias* for Jurors; for Copy Judgment on iſſuing Executions, and for Search and Copy of Judgment on iſſuing *Scire Facias*, have, in every Inſtance, to the beſt of this Deponent's Memory and Belief, been the ſame in every Reſpect, (according to the Nature of the Caſe) for and during the Time of the preſent Secretary, as they uniformly had been before his Appointment to the Office of Secretary, from the Time that this Deponent was firſt appointed Clerk of the Provincial Court, and alſo for many Years before. That when this Deponent firſt entered on the Office of Clerk of the ſaid Court, he had Recourſe to the Fee Books, in the Office, for his Direction how to make out the Charges, and among others ſeveral Fee Books in the Hands Writing of Mr. *Richard Burdus*, late Clerk of the ſaid Court, and of Mr. *Thomas Johnſon*, Jun. as he this Deponent verily believes, lodged in the ſaid Office, by which Fee Books this Deponent has been principally guided in his Manner of charging Fees; that particularly the Charges above-mentioned, for recording and filing Papers in Actions diſcontinued, abated, ſtruck off, or agreed; for all Iſſues made up; for iſſuing a *Venire facias* for Jurors; for Copy of Judgment on iſſuing Executions, and for Search and Copy Judgment on iſſuing *Scire Facias*, which have been made by this Deponent, have always, ever ſince this Deponent hath been Clerk of the Provincial Court, been, to the beſt of this Deponent's Judgment and Belief, agreeable to the ſaid Fee Books.

And this Deponent further ſaith, that he never has been, in any Manner or Way, or at any Time whatever, directed by the preſent Secretary, to charge any Fee or Fees; but that this Deponent hath been entirely left to purſue his own Methods, except in the following Inſtance, *to wit*, when a Sheriff has returned any Fee denied by the Party charged, this Deponent hath received the Secretary's Directions carefully to examine, whether the Fee denied had been juſtly or erroneouſly charged, and if juſtly, to write to the Sheriff to compel Payment, if erroneouſly, not to compel it.

And this Deponent alſo ſaith, That at the Beginning of laſt *October* Seſſion, this Deponent was inſtructed by the Secretary, to give any Members of the Lower Houſe, who ſhould apply for the ſame, all the Information this Deponent was able, of the Proceedings in the Secretary's Office, which this Deponent accordingly did, in every Reſpect, where deſired. And this Deponent ſaith, that he never, to the beſt of his Memory and Belief, heard, before the laſt Seſſion of Aſſembly, any Complaint, that any Fees charged in the Secretary's Office were illegally or improperly charged, except in Two Inſtances, wherein Mr. *Thomas Ringgold*, about a Year or Two ago, objected to the Charge of ſhort Copy Judgment, on iſſuing an Execution, and alſo for a Charge of Three Pounds of Tobacco, for entering a Releaſe (on a Bond) of the Penalty, on Payment of Principal, Intereſt, and Coſt. *Sworn before*

PHILIP THOMAS LEE.

THE Hon. Lower Houſe of Aſſembly, having cauſed ſome Reſolves, entered into laſt Seſſion, to be publiſhed in the GAZETTE, purporting, that certain Fees charged by the Commiſſary-General, on Adminiſtrations granted by his Deputies, as alſo a Number of Fees charged by the Commiſſary-General for Orders, *&c.* "*are an Abuſe of the old Regulation of Fees, illegal and oppreſſive*," I think it indiſpenſably incumbent on me, as Regiſter of the Commiſſary's Office, whoſe Duty it is to charge all Fees accruing due in that Office, in a publick Manner to vindicate my Conduct in that Particular, as far as I myſelf am perſonally concerned, and, at the ſame Time, to refute, in the moſt convincing Manner, a Report, as malicious as it is uncharitable, lately propagated by ſome ill-deſigning Perſon (whoſe Virulence doth not even ſpare the Aſhes of the Dead) of having, at the Inſtigation of *Charles Goldſborough*, Eſq; late Commiſſary-General, charged *additional Fees* not warranted by Law.

"I *Elie Vallette*, do therefore in the Preſence of Almighty GOD, declare, that the above-mentioned Fees, as charged by me, are no Innovations; but that they have, as far back as can be traced by the remoteſt Fee-Books in the Office, always been charged uniformly, in the ſame Manner, and for the ſelf ſame Services, as they ſtand charged at this preſent Time, except the Quantum for every ſuch Service, which, until the Year 1747, was nearly double to what it was by the late Law, as can be evinced by the Fee-Books in the Office.

That neither the late *Charles Goldſborough*, Eſq; nor *Walter Dulany*, Eſq; the preſent Commiſſary-General, have, at any Time, directed me, or in any Manner intimated their Deſire, to charge additional Fees not warranted by Law.

That ever ſince the Year 1766, the charging of the Fees hath invariably been my Province, without any the leaſt Interfering of the Commiſſary-General.

That my Conduct therein hath always been guided, to the beſt of my Skill and Judgment, by the ſeveral Acts of Aſſembly enacted for that Purpoſe. And,

That more eſpecially, with regard to the Charge of the Commiſſary-General, on Adminiſtrations granted by the Deputy-Commiſſaries, I never had, till very lately, the leaſt Reaſon to believe that the Legality of that Charge ever could, or would be queſtioned.

Sworn to the Truth of the above, Nov. 17th 1770,
before ROBT. COUDEN.

BY the Committee appointed to inſpect the publick Offices, and to enquire from the ſeveral Officers, their Deputies, Regiſters, or Clerks, into the annual Amount of the Fees that have accrued due to the ſaid Officers of this Province for Seven Years laſt paſt.

In Obedience to the Order of the Honourable Houſe, your Committee have inquired into the Amount of Fees in ſeveral of the Offices, and do report as follows:

SECRETARY'S FEES in the Provincial Court.

	℔ Tob.
1763	180,496
1764	229,208
1765	212,141
1766	209,334
1767	230,929
1768	255,763¼
1769	244,990

SECRETARY'S FEES in the Chancery Court.

	℔ Tob.
1763	45,237
1764	47,717
1765	27,175
1766	34,685
1767	38,238
1768	40,136
1769	42,098½

Two of your Committee applied to the Examiner, for the Account of his Fees for Seven Years laſt paſt, who anſwered, in general, that he had not made any Liſts of Fees but what were ſent to the Sheriffs annually, and could only know the Amount by having Recourſe to their Accounts and Returns, and at preſent was unable to do it.

Your Committee applied alſo to the Regiſter of the Commiſſary's Office, and were informed, by Letter from him, that he was ſo unwell as to be incapable of leaving his Bed; that he was ready to give all the Information in his Power; that to the beſt of his Remembrance the Fees in 1763, and 1764, amounted to about 224,000, in 1765, and the following Years down to 1769, to about 230,000, and in 1769, by Reaſon of Papers not coming timely to Hand to charge in the preceding Year's Fees, they amounted to about 280,000.

Your Committee afterwards underſtanding Mr. *Vallette* was better, went to his Office again, and obtained a Sight of his Fee Books, many of which we found not added up or the Fees liſted, and in ſome Years, where the Amount was caſt up, the ſame was marked by Letters, the Solution of which your Committee not being acquainted with, could come at no Certainty: Thoſe Fee Books they could beſt underſtand they did examine, particularly in 1768, and found the total Amount 236,695, and in 1769, the total Amount was 268,149.

The Amount of Fees furniſhed by the Clerk of the Land-Office was as follows:

	℔ Tob.
1763	526,525
1764	472,592
1765	484,488
1766	332,952
1767	311,263
1768	340,514
1769	382,600½

All which is ſubmitted to the Conſideration of the Honourable Houſe. *Signed per Order*,

Oct. 3, 1770. JOHN JOHNSON, Clk. Com.

SECOND REPORT.

BY the Committee appointed to inſpect the publick Offices, and to inquire from the ſeveral Officers, their Deputies, Regiſters, or Clerks, into the annual Amount of the Fees that have accrued due to the ſaid Offices of this Province for Seven Years laſt paſt.

Since giving in our former Report relative to the Examiner-General, and the other Offices, your Committee have received, from the Clerk of the Council and Examiner-General, an Eſtimate of the Amount of his Fees in both thoſe Departments for the Years 1767, 1768, and 1769, which are as followeth, viz.

CLERK of the COUNCIL.

	℔ Tob.
1767	[illegible]
1768	8603
1769	7744½

EXAMINER-GENERAL.

	℔ Tob.
1767	52,182
1768	60,816
1769	63,109

All which is ſubmitted to the Conſideration of the Honourable Houſe. *Signed per Order*,

Oct. 12, 1770. JOHN JOHNSON, Clk. Com.

FRIDAY, *November* [illegible], 1770.

On Motion, ORDERED, That the Report of the Committee appointed to inſpect the publick Offices, and to inquire from the ſeveral Officers, their Deputies, Regiſters, or Clerks, into the annual Amount of the Fees that have accrued due to the ſaid Officers of this Province for Seven Years laſt, of the Third Day of *October*; and alſo the Report of the ſame Committee of the Twelfth Day of *October* be printed in the next Week's *Maryland* Gazette, and be continued for Six Weeks ſucceſſively. *Signed per Order*,

JOHN DUCKETT, Clk. Lo. Ho.

Annapolis, Nov. 29, 1770.

CHOICE old *Barbados* Spirit and common Rum, by the Hogſhead, or ſmaller Quantity, *Maſcovado* and Loaf Sugar, Coffee, Chocolate, Candles, Soap, &c. to be ſold by THOMAS B. HODGKIN, on reaſonable Terms, at his Houſe near the Church.

THE Subſcriber intends in Six Weeks to *Liſbon*, for the Recovery of his Health; begs all thoſe Perſons that have any Claims againſt him to bring them in, that they may be ſettled.

At the ſame Time entreats thoſe that are indebted to him, would come and ſettle their Accounts.

It is not thoſe Friends I mean, who have been ſo obliging as to pay off their Balances once a Year or Two; it is thoſe who are indebted from Three to almoſt Eleven Years, and who, I am apprehenſive, may, in my Abſence, exclaim againſt my Accounts.

However, notwithſtanding the long Credits, if they will come and ſettle their reſpective Balances before I depart the Province, all Errors ſhall be rectified, and longer Indulgence granted, if required; if not, I ſhall leave them to the Diſcretion of my Attorney, who will be properly authoriſed to ſettle all Matters relating to my Effects.

(2w) JAMES LEEPER.

*** I have ſome good Road Horſes and Oxen to diſpoſe of for ready Money.

Frederick-Town, Frederick County, *Nov.* 4, 1770.

THE Partnerſhip of *Mitchell* and *Cary*, being now near expired, all Perſons indebted to them, are deſired to make Payment between this Time and the Firſt Day of *January* next, otherwiſe they will be ſued and warranted before *March* Court. All Perſons who have any juſt Claims againſt ſaid Partnerſhip, are deſired to ſend them in, that they may be adjuſted and paid.

(3w) MITCHELL & CARY.

Thoſe who are indebted to *John Cary* for former Dealings with him in ſaid Town, are deſired to pay between this and the above Time, as no longer Indulgence will be given. JOHN CARY.

November 16, 1770.

THE MEMBERS of the UPPER-MARLBOROUGH ASSEMBLY are deſired to meet at the ASSEMBLY-ROOM, in UPPER-MARLBOROUGH, on the Firſt Tueſday in *December* next, at XII o'Clock.

Baltimore County, *Nov.* 15, 1770.

THE Creditors of *John Cromwell*, late of *Anne-Arundel* County, deceaſed, are deſired forthwith to make known the Amount, and Nature of their reſpective Claims to the Subſcriber (who will either undertake the Execution of the Deceaſed's Will, or, on Requeſt, aſſiſt ſuch Perſon or Perſons, as ſhall be appointed to the Adminiſtration of the Eſtate) in order that the ſame may be adjuſted and ſatisfied, ſo far as the ſaid Eſtate ſhall extend.

(w4) GEORGE RISTEAU.

COMMITTED to *Anne-Arundel* County Jail, as a Runaway, a Servant Woman named RACHEL EVANS, ſays ſhe belongs to *John Dorſey*, on *Liganore*. Her Maſter is deſired to take her away, and pay Charges. JOHN CLAPHAM, Sheriff.

COMMITTED to *Charles* County Jail, a Servant Man, who calls himſelf STEPHEN SMITH, by Trade a Shoemaker, ſays he belongs to JOHN BALLANDINE, of *Virginia*. The Owner is deſired to take legally away the aforeſaid Servant.

RICHARD LEE, Jun. Sheriff.

Baltimore-Town, Nov. 24, 1770.

SUPPOSED to be taken for Convenience, or by Miſtake, from Mr. *Little*'s Corner Parlour, on Wedneſday laſt, between the Hours of X and XI o'Clock at Night, a Beaver Coating Surtout, in the left Pocket of which was a Pair of Buckſkin Gloves. The Owner finding himſelf rather the worſe for having it, deſires it ſhould be returned to Mr. *Little*.

THERE is at the Plantation of *Lodowick Raten*, living in *Baltimore* County, on the Head of *Pipe* Creek, taken up as a Stray, a ſmall black Horſe, about Four Years old, branded on the near Buttock thus ſ near the Hip.

The Owner may have him again, by proving his Property, and paying Charges. (w3)

Annapolis, November 16, 1770.

WHEREAS it has been repreſented to his Excellency the Governor, that about Three or Four Months paſt, the Mill-Dam of *George Puſey*, lying in *Frederick* County, near *Little Wincheſter*, was pulled down and deſtroyed in ſuch a Manner as entirely prevented the Conveyance of any Water to the Mill, by ſome malicious and ill diſpoſed Perſons, unknown, to the great Damage of him the ſaid *George Puſey*: his Excellency, for the better diſcovering and bringing to publick Juſtice, the Perſon or Perſons, who, againſt his Lordſhip's Peace, pulled down and deſtroyed the ſaid Mill-Dam, doth promiſe his Lordſhip's Pardon, for ſuch Offence, to any One of them, (the Principal and Principals only excepted) who ſhall diſcover the Perſon or Perſons concerned in the ſaid Fact, ſo that he, ſhe, or they, may be apprehended and convicted thereof.

Signed by Order,
U. SCOTT, Cl. Con.

*** And as a further Encouragement, the Subſcriber, living in *Baltimore* County, doth promiſe a Reward of FIFTY DOLLARS to any one who ſhall make a Diſcovery of any Perſon or Perſons concerned in the above-mentioned Offence, ſo that he, ſhe, or they, may be brought to Juſtice, and convicted thereof.

WILLIAM COX.

November 17, 1770.

MR. *Charles Carroll*, jun. having conveyed to us, by Deed of Truſt, One Hundred and Sixty Acres of Land, lying near the Mouth of the Eaſtern Branch of *Potowmack* River, for the Purpoſe of laying out a Town, under the Name of CARROLLSBURG, we have cauſed the ſaid to be laid out into 267 Lots, beſides Streets, Lanes, Alleys, and a Square of Four Acres, for the Benefit of the ſaid Town, Plots of which may be ſeen in the Hands of *Thomas Johnſon*, Eſq; in *Annapolis*, Mr. *Jonathan Hall* in *Alexandria*, and of the Truſtees. The following are the Terms of Sale: Each Adventurer ſhall pay at the Rate of Six Pounds Sterling, in good Bills of Exchange or Caſh, on receiving from the Truſtees a Ticket, ſigned and numbered by them, which will intitle him to the Lot drawn againſt that Number; after which he will receive a Deed from the Truſtees, conveying a Fee Simple to the ſaid Lot. There are 261 Lots for Sale (Mr. *Charles Carroll*, jun. having reſerved Four Land and Two Water Lots) and the ſame Number of Tickets; conſequently each Adventurer will be certain of having a Lot for his Money, and, by the Mode propoſed of drawing for the ſame, an equal Chance. The Time and Mode of drawing will be advertiſed as ſoon as the Tickets are diſpoſed of. As the Plots may be ſeen on Application, we ſhall only obſerve, that the Town is laid out by fixed Boundaries, to avoid hereafter any Confuſion by the Variation of the Compaſs; the Streets are Eighty Feet in Width, and every Water Lot, except Four, has a Publick Way, by Street, Lane or Alley, to the Water. If the Tickets are not all ſold in Six Months from the Second Inſtant, the Money received will be returned. Many Tickets are already beſpoke, and there is little Doubt but the reſt will be ſo in a very ſhort Time; therefore thoſe who have applied and approve the Scheme, are deſired to take their Tickets in from the Truſtees without Delay.

(6w)
H. ROZER,
DANIEL CARROLL,
NOTLEY YOUNG.

To be SOLD by publick Vendue, at the Houſe of Mr. Little *in* Baltimore *Town, on Tueſday the 4th of* December *next*,

A TRACT of Land in *Baltimore* County, containing 535 Acres, late the Plantation of *Iſaac Riſteau*, deceaſed, now belonging to *Dunlop* and *Chriſtie*, of *Glaſgow*, Merchants, lying about Seven Miles diſtant from *Baltimore* Town, and at preſent poſſeſſed by *William Cox*. For further Particulars apply to *Robert Chriſtie*, jun. in *Baltimore* Town.

ANNAPOLIS: Printed by ANNE CATHARINE GREEN, at the PRINTING-OFFICE: Where all Perſons may be ſupplied with this GAZETTE, at 12*s*. 6*d*. a Year; ADVERTISEMENTS, of a moderate Length, are inſerted the Firſt Time, for 5*s*. and 1*s*. for each Week's Continuance. Long Ones in Proportion to their Number of Lines.——At ſame Place may be had, ready Printed, moſt kinds of BLANKS, viz. COMMON and BAIL BONDS; TESTAMENTARY LETTERS of ſeveral Sorts, with their proper BONDS annexed; BILLS of EXCHANGE; SHIPPING-BILLS, &c. &c. All Manner of PRINTING-WORK performed in the neateſt and moſt expeditious Manner, on applying as above.

SUPPLEMENT
TO THE
MARYLAND GAZETTE.

THURSDAY, NOVEMBER 29, 1770.

By the UPPER HOUSE of ASSEMBLY, 21ſt *November*, 1770.

ORDERED, the Amendments to the Bill, entitled, "*An Act to eaſe the Inhabitants of this "Province in the Payment of Attornies Fees*," and the Meſſages between the Two Houſes in the laſt Seſſion, be publiſhed by the Printer to the Province, in the *Maryland Gazette*, or in a Supplement thereto.

Signed by Order of the Upper Houſe,

U. SCOTT, Clerk.

After the Word "ſame," in the fourth Line of the fourth Page, inſert as follows.

WHEREAS, by the Act entitled, "An Act for rectifying the ill Practices of Attornies "of this Province, and aſcertaining Fees to the Attorney General, Clerk of Indict-"ments, Attornies, and Practitioners of the Law in the Courts of this Province, and for levying "the ſame by Way of Execution," it is, amongſt other Things, expreſsly enacted, that, "If "any Attorney, or Perſon practiſing the Law in any of the Courts of this Province, do preſume "to aſk, receive, take or demand, any greater or larger Fee than by the ſaid Act appointed, and "be thereof legally convicted, he ſhall be uncapable to practiſe the Law in any Court of this "Province for the future." And whereas it would be of very little Avail towards the Eaſe of Suitors to regulate and limit the Fees of Lawyers, unleſs they be ſtrictly held not to aſk, receive, take or demand any Fees beyond ſuch Regulation and Limitation: Be it therefore enacted by the Authority aforeſaid, that no Attorney or Lawyer ſhall plead the Cauſe of any Suitor, or appear in, or undertake, any Suit or Cauſe, in any Court of this Province, after the End of this preſent Seſſion of Aſſembly, unleſs ſuch Attorney or Lawyer, in each Court in which he ſhall practiſe, at the firſt Sitting thereof, at which ſuch Attorney or Lawyer ſhall appear, and undertake, or be concerned in, any Suit or Cauſe, take and ſubſcribe, in open Court, the Oath following, to wit: "I *A. B.* do ſolemnly promiſe and ſwear, that I will not, during the Conti-"nuance of the Act, entitled *An Act to eaſe the Inhabitants of this Province in the Payment of Attor-"nies Fees*, in any Manner, or of any Perſon, directly or indirectly, aſk, receive, take or de-"mand, in Money, Tobacco, or any other Matter or Thing, any greater or larger Satisfaction, "Reward, Gratuity or Fees, than by the ſaid Act appointed. So help me God." And the Judges and Juſtices, in and of the ſeveral Courts within this Province, are required and enjoined not to permit or ſuffer any Attorney or Lawyer to practiſe in their reſpective Courts, unleſs ſuch Attorney or Lawyer ſhall firſt take and ſubſcribe, in open Court, the Oath aforeſaid. Provided always, that this Act, or any Thing therein contained, ſhall not extend to hinder any Attorney or Lawyer from finiſhing, and bringing to a Determination, the Suits or Cauſes now depending, and in which they have been really and actually employed by any Party or Parties intereſted therein.

November Seſſion, 1770.

By the UPPER HOUSE of ASSEMBLY, 8th *November*, 1770.

GENTLEMEN,

WE have conſidered the Bill, entitled "An Act for amending the Staple of Tobacco, for "preventing Frauds in his Majeſty's Cuſtoms, and for the Regulation of Officers Fees," and think it very exceptionable in many Reſpects; but as the Tranquillity and Welfare of the Province depend very much upon the Regulation of our Staple of Tobacco, and the Fees of Officers, we propoſe a Conference with your Houſe upon the Bill.

Signed by Order,

U. SCOTT, Clk. Up. Ho.

By the LOWER HOUSE of ASSEMBLY, *November* 9, 1770.

May it pleaſe your HONOURS,

WE agree with you in Opinion, that the Tranquillity and Welfare of the Province depend very much upon a Regulation of our Staple of Tobacco, and the Fees of Officers; under that Idea we with great Care reviſed our late Inſpection Law, and were governed by Principles

---

Line, beſides Frigates, &c.

Lord North pledged his Word in a certain Place ſome Time ſince, that we ſhould have no War for Ten Years.

Great-Britain will ſhortly have Seventy Ships of the Line in actual Service, including the Fleets now getting ready.

It is aſſured that ſome Gentlemen belonging to the Bill of Rights, are determined to try the Validity of Preſs Warrants.

Letters now in Town aſſure, that Diſpatches have been received by the French Court from the Ottoman Porte, wherein the King of France is moſt earneſtly entreated to afford them Succour, for which, Subſidy, and an Extenſion of Trade, is offered.

We have it from good Authority, that a Treaty of great Importance is upon the Point of being concluded

claration of War [illegible]

Extract of a Letter from Warſaw, Auguſt, 10.

"Advice has been received at Lemberg, that Gen. Tottleben had gained a complete Victory over the Turks, commanded by 4 Baſhaws in Armenia, the Conſequence of which was the taking of Erzerum. The Turks loſt upon this Occaſion 6000 Men, 15 Pieces of Cannon, ſeveral Staffs of Command, Horſes Tails, and a great Number of Tents."

Extract of a Letter from Paris, dated September 6.

"Our Situation becomes every Day more critical. The Laws are trampled under Foot, and we are at the Point of ſeeing ourſelves in a worſe Condition than the Turks or the Ruſſians, with this Difference, that they

broke out in the Iſland of Hiſpaniola.

PHILADELPHIA, *November* 22.

Thurſday laſt arrived here the Ship Warwick, Capt. Davidſon, from Briſtol, which he left the 3d of October in Company with the Brig Concord, Capt. Volans, for this Port; on his Paſſage the 13th of October, in Lat. 42, 42, Long. 26, 48, ſpoke the Ship Polly, Capt. Kelty, from Maryland for London, out Four Weeks and ſhort of Proviſions; Capt. Davidſon ſpared him a Barrel of Beef, otherwiſe all well: And on the 15th of October in Lat. 40, 28, Long. 28, 46, ſpoke the Ship Friendſhip, Capt. Wilſon, from Black River, in the Bay of Honduras, for London, 11 Weeks out, Capt. Wilſon ſick and in want of ſeveral Neceſſaries, which Capt. Davidſon ſpared him.

ples of Juſtice and publick Utility; but as your Honours think the Bill now before you on that Subject very exceptionable in many Reſpects, we requeſt you to point out the Amendments you have to propoſe, that we may have them before us in One View, and then we ſhall with Pleaſure agree to a Conference, *if we think it expedient.*

Signed by Order,

JOHN DUCKETT, Clk. Lo. Ho.

By the UPPER HOUSE of ASSEMBLY, 10th *November*, 1770.

GENTLEMEN,

IN the laſt Seſſion of Aſſembly, we returned with a Negative, and Meſſage, the Bill entitled "An Act for amending the Staple of Tobacco, for preventing Frauds in his Majeſty's Cuſ- "toms, and for the Regulation of Officers Fees," our Meſſage, containing a general Propoſition for Alterations, we hoped might produce a Conference, and thereby facilitate an Agreement between the Two Houſes, for paſſing an Act of ſo great Utility to the Province.

We were then governed by Precedents, which appear on the Journals, particularly in the Year 1745, when an Act for the Limitation of Officers Fees, which had taken Riſe in the Lower Houſe, was returned from this with a Negative and Meſſage.

Upon the Return of this Bill, in the Manner mentioned, the Lower Houſe propoſed a Conference by Meſſage, and a Bill in conſequence of it was framed.

In the Year 1766, when the Journal of Accounts was returned to your Houſe with a Negative, there was a ſimilar Proceeding. But this Method having failed of the Effect we wiſhed, and imagining it might be more agreeable to you, that a Conference ſhould be propoſed by this Houſe, we this Seſſion retained your Bill, and, on our Part, made the Overture for a Conference, according to the Courſe purſued in 1747, when the firſt Inſpection Act paſſed. By your Meſſage of Yeſterday we find, that neither is this Method agreeable to you; but you deſire us to point out Amendments, and that you will agree to a Conference thereon, "*if you think it expe-* "*dient.*"

You muſt be ſenſible that, if we were to enter minutely into a Conſideration of all the Parts and Articles of the Bill, detail all our Exceptions, and apply diſtinctly our Obſervations, in Support of our Opinion, it would be a Work of great Length, take up much Time, and be productive of a conſiderable Expence, and eſpecially if this Proceeding ſhould draw from you a Meſſage of the ſame Kind, and you at laſt *not judge a Conference to be expedient.* Wherefore we make the following general Propoſitions:

That the Regulation of the Fees of Officers and Lawyers, and the Proviſions dependant thereon, be the ſame as in the laſt Inſpection Act, the Mode of recovering Penalties be the ſame, that there be no new Allowance on Tobacco Payments, or that the Clauſe, in which it is compriſed, may be explained ſo clearly as to extend only to cropped Tobacco.

That all Perſons, whether they ſhall make Tobacco or not, may elect to pay all Fees in Tobacco or Money, in the Manner provided by the Bill; that the Poll-Tax may be paid in the ſame Manner, with this Difference only, that in Caſe of a Payment in Money, the Clergy may receive on Thirty-two inſtead of Thirty *per* Poll; that the Inſpection may be cloſed at the Time directed by the laſt Regulation.

Should you think the Income from the Fees of the Secretary, Commiſſary-General, and Judges of the Land-Office, will be too great on this Plan, we propoſe, if you think proper, that there may be an annual ſtated Income paid to theſe Officers reſpectively, of £. 600 Sterling, in Lieu of all other Fees, Perquiſites, and Emoluments, and that theſe may be accounted for, and applied to the publick Uſe, as the General Aſſembly ſhall direct.

Laſtly, that the Fees, and Proportion of the Poll-Tax, which became due, during the Exiſtence of the late Regulation, and remain unſatisfied, may be accordingly paid.

Signed by Order,

U. SCOTT, Clk. Up. Ho.

By the LOWER HOUSE of ASSEMBLY, *November* 12, 1770.

May it pleaſe your HONOURS,

THE Propoſitions which accompanied your Negative on the Inſpection Bill laſt Seſſion, having been made after that Bill had been ſome Days before you, and requiring Alterations in principal Points, from which we were determined not to recede, we could not imagine there was the leaſt Probability of bringing about an Agreement at that Time, and therefore we declined protracting the Seſſion by any Procedure from which we could expect nothing but a fruitleſs Expence. From like Motives we declined going into a Conference generally on the Bill now before you, in Conſequence of your Meſſage of the 8th Inſtant, by *Daniel Dulany*, Eſq; or to engage to confer on the Amendments you might propoſe, before we had them before us in View, eſteeming any Conference expedient in Proportion only to the probable Event.

But having conſidered your laſt Meſſage, which narrowed the Subject to the general Propoſitions contained therein, we agree that the Bill be expreſſed in other Terms to give an Allowance of Four *per Cent.* on the Payment of Cropped Tobacco, if you ſtill think any further Expreſſions neceſſary. That in Caſe of Payment in Money, the Clergy may receive on 32 inſtead of 30 *per* Poll, and that in Caſe it is not ſufficiently certain, Lawyers Fees be more fully expreſſed to be the ſame as in the laſt Inſpection-Act.

Your other Propoſitions that tend to alter the Bill, we do not agree to, and are of Opinion, that an annual ſtated Income of £. 600 Sterling is too much for the Trouble and Riſk in executing cuſing the Secretary's, Commiſſary's, or Land-Office, or, in a comparative View, with the private Eſtates within this Province, or the Numbers and general Circumſtances of the Inhabitants; but even was the Sum propoſed, in our Opinion, a fit Quantum, we ſhould be utterly averſe to fixing a Salary and taking the Fees to the Publick, not only becauſe we ſhould fear an entire new Syſtem might involve us in freſh Difficulties, but from an Apprehenſion that any Officers, who depend upon a known fixed Salary, without having an immediate Benefit from any particular Inſtances of their Duty, would not be ſo ready in undertaking, or diligent in executing them, as they would be, if they were to have a preſent Advantage from them.

The immoderate Amount of the Fees of Officers, as charged under the late Regulation, and the very many Abuſes in thoſe Charges which have fallen within our Obſervation, have determined us unanimouſly to reject that Regulation, which we never will again conſent to. We have, by the propoſed Regulation in the Bill, endeavoured to obviate the Practices for what we eſteem Abuſes, making, in our Opinion, a very ample and generous Proviſion for Officers, and in the dependant Proviſions, taking that Care only, which by Experience is found neceſſary, againſt illegal and oppreſſive Charges; yet, ſhould you ſtill think that the Fees, as regulated by the Bill, are not ſufficient, or that any other Parts of the Bill, to which you have propoſed Alterations, need Amendments, we are willing to join your Honours in a Conference thereon, and will appoint Conferees to meet ſuch of your Honours as you may think proper to nominate for that Purpoſe.

Signed by Order,

JOHN DUCKETT, Cl. Lo. Ho.

By the UPPER HOUSE of ASSEMBLY, 13th *November* 1770.

GENTLEMEN,

OUR laſt Meſſage contained the Propoſitions which our Conferees would have been inſtructed to make, had a Conference taken Place, according to any of the Precedents we have pointed out.

The Election we are willing to extend to all Perſons, as well Planters as others, to diſcharge all Fees, and the Poll-Tax in Tobacco or Money, as might occaſionally beſt ſuit them, would be an effectual Reduction of Fees, and contribute very much to the Eaſe and Convenience of the People; but we think the new Regulation you have propoſed would reduce them ſo low as not to leave a ſufficient and proper Support for the Officers. If there have been Abuſes in Practice under the old Regulation, and the Proviſions in the late Inſpection-Act are ineffectual for their prevention, we ſhould be willing to concur in any reaſonable Method to alter, explain, or enforce thoſe Proviſions; but as the new Regulation is framed, there can be no Doubt but it would be productive of very great Reduction on Articles clearly chargeable under the old, and for this we appeal to the Two Regulations, and what at firſt Sight muſt ſtrike every Reader.

We entirely agree with you in Opinion, that protracting the Seſſion by a Procedure, from which nothing is to be expected but a fruitleſs Expence, ought always to be avoided, and therefore explicitly inform you, that we ſhall adhere (except as abovementioned) to our Propoſition reſpecting the Regulation.

Signed by Order,

U. SCOTT, Cl. Up. Ho.

By the LOWER HOUSE of ASSEMBLY, *November* 15, 1770.

May it pleaſe your HONOURS,

WE are apprehenſive, from your Meſſage of the 13th Inſtant, that there is ſome Miſunderſtanding between us about the Subject Matter of a Conference: We have no Deſire to reduce the Fees of Officers ſo low as not to leave a ſufficient and proper Support; and, if it ſhall appear, that the Regulation propoſed by us would be inſufficient for that Purpoſe, we ſhall be willing to make ſuch Additions as we hope will be thought ſufficient, and proper in the Opinion of the World.

Nothing now remains to be ſettled but the Fees of Officers and the Proviſions thereon dependant, the Mode of recovering Penalties, the Time of cloſing the Inſpection, and the laſt Propoſition contained in your Meſſage of the Tenth Inſtant, by *John Ridout*, Eſq; on theſe Points of our Bill we were, and ſtill are willing, and now propoſe to go into Conference, as the moſt likely Expedient to bring about an Agreement.

Your Honours, by a Bill ſent from your Houſe the 31ſt of *October*, which lay before us at the Time of the laſt Prorogation, on the Second Inſtant, to revive the late Inſpection Law and the Supplementary Act thereto, "except all ſuch Part and Parts as limitted, or in any Manner con-"cerned the Fees of Officers and Lawyers, and the Poll-Tax due to the Clergy," propoſed to ſeparate the Regulation of the Staple from that of the Fees of Officers, and continue that Part of the late Inſpection Law which provided for the Payment of the Levies: In your Meſſage of the Tenth Inſtant, you agreed "that all Perſons, whether they ſhould make Tobacco or not, might elect to pay all Fees in Tobacco or Money, in the Manner "provided by the Bill," and propoſed, "that the Poll-Tax might be paid in the ſame Manner, with the Difference only, that "in Caſe of Payment in Money, the Clergy might receive on 32 inſtead of Thirty *per* Poll," which this Houſe acceded to, and informed your Honours of, by our Meſſage of the Twelfth Inſtant; therefore, ſhould your Honours again wave a Conference on the Terms we now propoſe, we make you another Propoſition; ſtrike out all thoſe Parts of the Bill that relate to the Officers Fees, which will be agreeable to the Plan of the Bill you ſent us; and as nothing of Importance will then remain in Diſpute, except the Time of cloſing the Inſpection, which the People much wiſh to have extended to the 20th of *Auguſt*, we have the greateſt Expectation that

this,

TE.

nt of this Country is
the People in Awe,
rade declines, our Fi-
Credit loſt, the People
s of the Farmers of the
Confiſcations are over-
Scourge of divided
cute their own Schemes
we are oppreſſed by an
te, who was formerly
d who now is the Cauſe
bvert the Order of the
il War not only among
King and the Princes of
iſtrates: The reſpectable
ers and Supporters of the
ted in Places of Confine-
, and ſacrificed to a vile
Great Pains are taken to
turally of a good Diſpo-
ormed of the State of this
nt People are diſgraced,
racter, only, are loaded
very Thing is given up
is capable of inventing
eſſion, and Debauchery,
r preſent Situation, diſ-
thout Exaggeration."

Dublin, September 12.
neſs and ill Deſigns of
e daily Attempts which
ce the few honeſt Men
Country. A few Days
aber for Wexford (who
53) was applied to by
a conſiderable Sum of
ernment, which he has
. Lord Townſend made
t if he would join the
n Employment, which
Lordſhip's Phraſe;) and
was due to him by Go-
Jones ſpiritedly anſwer-
, and deſpiſed the Mo-
How is a Man to come
d to give up his Coun-
is his own? There
making here, in order
to be called Com-
rſt Commiſſioner is to
her Five 500l. a Year
miſſioner was intended
Commiſſioners are to
, very faithfully and
Clerks of the Cuſtom-
y well paid at 200l.

November 19.
ither, was chaſed by a
Shot at him.
ell, junr. Eſq; of this
Commiſſioners of his
George Meſerve, Eſq;
Collector for the Port
lowell, Eſq; Deputy
mptroller for the Port

-*Hampſhire, dated laſt*

who arrived at Caſco-
in Lat. 32. Long. 69.
with Capt. Steven-
mouth to Cape-Fear,
when he left England,
d every Day againſt
d did not doubt, but
ort it took Place:—
ſſage, he was chaſed
Man of War, but
ere that this may
uld make Buſineſs
perhaps put an End to our
and America.
at New-York, by Philadel-
rms, That the Plague was
broke out in the Iſland of Hiſpaniola.

PHILADELPHIA, *November* 22.

Thurſday laſt arrived here the Ship Warwick, Capt. Davidſon, from Briſtol, which he left the 3d of October in Company with the Brig Concord, Capt. Volans, for this Port; on his Paſſage the 13th of October, in Lat. 42. 43, Long. 26. 48, ſpoke the Ship Polly, Capt. Kelty, from Maryland for London, out Four Weeks and ſhort of Proviſions; Capt. Davidſon ſpared him a Barrel of Beef, otherwiſe all well: And on the 13th of October in Lat. 40. 28, Long. 28. 46, ſpoke the Ship Friendſhip, Capt. Wilſon, from Black River, in the Bay of Honduras, for London, 11 Weeks out, Capt. Wilſon ſick and in want of ſeveral Neceſſaries, which Capt. Davidſon ſpared him.

Line, beſides Frigates, &c.

Lord North pledged his Word in a certain Place ſome Time ſince, that we ſhould have no War for Ten Years.

Great-Britain will ſhortly have Seventy Ships of the Line in actual Service, including the Fleets now getting ready.

It is aſſured that ſome Gentlemen belonging to the Bill of Rights, are determined to try the Validity of Preſs Warrants.

Letters now in Town aſſure, that Diſpatches have been received by the French Court from the Ottoman Porte, wherein the King of France is moſt earneſtly entreated to afford them Succour, for which, Subſidy, and an Extenſion of Trade, is offered.

We have it from good Authority, that a Treaty of great Importance is upon the Point of being concluded

claration of War to be made there.

Extract of a Letter from Warſaw, Auguſt, 10.

"Advice has been received at Lemberg, that Gen. Tottleben had gained a complete Victory over the Turks, commanded by 4 Bathaws in Armenia, the Conſequence of which was the taking of Erzerum. The Turks loſt upon this Occaſion 6000 Men, 15 Pieces of Cannon, ſeveral Staffs of Command, Horſes Tails, and a great Number of Tents."

Extract of a Letter from Paris, dated September 6.

"Our Situation becomes every Day more critical. The Laws are trampled under Foot, and we are at the Point of ſeeing ourſelves in a worſe Condition than the Turks or the Ruſſians, with this Difference, that they this, and the other Matters of leſs Conſideration, may be eaſily adjuſted by a Conference, which we requeſt for that Purpoſe; and the Bill may then paſs for the Regulation of the Staple, Lawyers Fees, Clergies Allowance, and the Payment of the Publick, County, and Parochial Charges.

If your Honours do not incline to accept either of theſe Propoſitions, we have only to requeſt, that you will ſend down the Bill, that after finiſhing the Buſineſs of the Seſſion, we may return to the Care of our domeſtick Affairs. *Signed by Order,*

JOHN DUCKETT, Cl. Lo. Ho.

By the UPPER HOUSE of ASSEMBLY, 16th *November* 1770.

GENTLEMEN,

BEING deſirous of removing, as far as we can, all Miſunderſtandings, we muſt take the Liberty to recapitulate what has paſſed in our Intercourſe on the Inſpection Bill, in order to ſhow the proper State to which the Matter has been brought.

We returned the Bill with a Negative and Meſſage in the laſt Seſſion, under an Expectation that the Propoſal of a Conference would come from your Houſe, as happened on a ſimilar Proceeding in the Years 1745 and 1766.

No Propoſal of a Conference having been made by your Houſe, we inferred that you were averſe from making the firſt Overture, and therefore, on our Part, purſuing the Method obſerved in 1747, we made it.

Had a Conference been the Conſequence of this Propoſal, the Bill, in all its Parts would have been the Subject, but you declined to engage in a Conference on theſe general Terms, or on Amendments we might propoſe before you had them in one View. On your Intimation of this Circumſtance, we informed you, in our laſt Meſſage, what our Conferees would have received in Charge, as Inſtructions to regulate their Conduct, had a Conference enſued on the Propoſal we firſt made for the Purpoſe.

If a Conference had been propoſed by your Houſe, we ſhould at once have joined you therein, and inſtructed our Conferees in the Manner abovementioned: On this Conſideration, There has been long Experience of the Regulation of Fees contained in the Inſpection-Act; it was eſtabliſhed on much Deliberation; it has been continued by many different Aſſemblies; on theſe Circumſtances a Preſumption ariſes, that the old Regulation was, in the Main, well adapted to the Subject; but you having obſerved in your Meſſage of the Twelfth Inſtant, that many Abuſes in the Charges under the old Regulation had fallen within your Notice, and that you had endeavoured to obviate "*the Pretences you eſteem to be Abuſes*;" we therefore have informed you, that we ſhould be willing to concur with you in any proper Method to prevent all real Abuſes for the future. Upon the whole, we meant that the old Regulation, ſo far as no Abuſes were imputable to its Defects, ſhould ſtand, and ſo far as Abuſes had really happened in Practice under it, that it ſhould be corrected in the Inſtances wherein a Correction ſhould appear to be expedient. By this Mode of Procedure, we apprehend a better Regulation may be eſtabliſhed than by a new Liſt.

If, however, you incline to confer, as propoſed in your laſt Meſſage, on theſe Points, *viz.* the Fees of Officers and the Proviſions thereon dependant, the Mode of recovering Penalties, and the Time of cloſing the Inſpection, as well as on the laſt Propoſition contained in our Meſſage of the Tenth Inſtant, we ſhall be ready to join you, and conſider the Conference as proceeding from your Propoſal; but we hold ourſelves obliged to inform you, to prevent Diſappointment, that we ſhall think ourſelves to be at full Liberty to inſtruct our Conferees, and that we ſhall explicitly inſtruct them not to agree to any Departure from the old Regulation, except for the Purpoſe of preventing Abuſes in Charges under it, if, on this Account, a Correction or Alteration ſhould appear to be expedient, and alſo, not to agree to any further Reduction of Fees than that which muſt neceſſarily follow from the Election given to all Perſons to diſcharge the Fees in Tobacco or Money, as may beſt ſuit them.

On our being informed that you will engage in a Conference on theſe Terms, we ſhall proceed to the Appointment of Conferees, or that you will not, your Bill ſhall be returned.

Signed by Order,

U. SCOTT, Cl. Up. Ho.

By the LOWER HOUSE of ASSEMBLY, *November* 19, 1770.

May it pleaſe your HONOURS,

FROM recapitulating in your Meſſages particular Parts of your Conduct in our Intercourſe on the Inſpection Bills, in the laſt and preſent Seſſion, you ſeem deſirous of doing ſomething more than removing, as far as you can, all Miſunderſtanding, or to ſhew the proper State to which the Matter has been brought; your Honours will, therefore, permit us to place, in one View, our Conduct on the Subject, as well as ſome Part of yours which you may inadvertently have omitted. After an Inquiry into the Amount of Fees in the principal Offices, as well as into their State and Condition, and being ſatisfied of the Exorbitancy of the Profits, and the negligent and careleſs Manner in which thoſe Offices have been executed, we compared many Accounts, in which the Fees of Office were charged, with the old Regulation, which ought to have governed therein; and finding that many Articles had become common Place Charges in Inſtances where no Service at all was done; that others were doubly charged; and obſerving, that generally where combined Intereſt and Ingenuity could invent a colourable Pretext for a new Charge, it had been adopted by Fellow-Officers; we thought it highly neceſſary, in the now altered Circumſtances of the Province, not only to recur to the Principle of 12/6 *per Cent.*

ANNAPOLIS: Printed by ANNE CATHARINE GREEN, at the PRINTING-OFFICE: Where all Perſons may be ſupplied with this GAZETTE, at 12*s.* 6*d.* a Year; ADVERTISEMENTS, of a moderate Length, are inſerted the Firſt Time, for 5*s.* and 1*s.* for each Week's Continuance. Long Ones in Proportion to their Number of Lines.——At ſame Place may be had, ready Printed, moſt kinds of BLANKS, *viz.* COMMON and BAIL BONDS; TESTAMENTARY LETTERS of ſeveral Sorts, with their proper BONDS annexed; BILLS of EXCHANGE; SHIPPING-BILLS, &c. &c. All Manner of PRINTING-WORK performed in the neateſt and moſt expeditious Manner, on applying as above.

ſent, on which the Inſpection Law was firſt enacted in 1747; but alſo to make a clear and preciſe Table of Fees for Officers, that none might hope, from a Doubtfulneſs of Expreſſion, to evade the plain Intention of the Law. The dependant Proviſions we alſo amended, by Additions to the Oath, as well as Penalties againſt charging Fees not allowed; in ſome few of the very unreaſonable Allowances, we moderated the Quantum; and for the Convenience of the Tobacco-Makers, we extended the Time for cloſing the Inſpection to the 20th of *Auguſt*.

On this Bill, your Honours, the laſt Seſſion, ſupported your Negative, which came to us with your Meſſage, propoſing principally, "that the Duties and Fees of the Officers and Lawyers, and the Dues of the Clergy, do ſtand as they were limitted and regulated by the ſaid Act, with this Difference, that all who ſhall chuſe to pay for Services immediately on Performance, may be at Liberty to diſcharge the Fees in Money, after the ſame Rate that Perſons who lodged Certificates under the ſaid Act were admitted to diſcharge the ſame."

"That the Farmers and others, not making Tobacco, and who ſhall lodge Certificates, as directed by the ſaid Act, be allowed to pay off the Fees of the Officers and Lawyers, and the Dues of the Clergy, in the Manner by the ſaid Act provided.

"That Perſons making Tobacco be admitted to diſcharge the Fees of Officers and Lawyers, and the Dues of the Clergy, after the Rate of Twelve Shillings lawful current Money of A*merica*, for One Hundred Pounds of Tobacco, ſo that ſuch Payment, in Money, be made on or before the Tenth Day of *April* yearly," by which your Honours were from departing from the Principle of the Regulation in 1747, in rejecting the Alternative to the People; the Officers would, in many Inſtances, have been Gainers from thoſe who might have ſmall Accounts to pay, and who would rather have paid at 12s. legal Money, than have been at the Trouble of going a conſiderable Diſtance to make Oath, and obtain a Certificate of their not making Tobacco, to entitle them to pay at 12/6 common Money; and the ſeeming Benefit to the Tobacco-Maker, from an immediate Payment in Money, would have been no Advantage to him in common Occurrences, becauſe in Court Proceedings, generally, he could not know what to receive at the Time the Buſineſs was done; and it muſt ſeem probable to your Honours, that as it would be incumbent on the Planter to tender enough, it would be the Officers Intention to receive enough. As this Houſe did not conceive any of theſe Propoſitions were made merely to reflect Merit on yourſelves, in giving them up on a Conference, they were ſcarce ſooner read than unanimouſly rejected in this Houſe.

To prevent the Inconvenience which muſt neceſſarily follow, an unexpected Fall of a Regulation of our Staple, which had long been in Uſe, we ſoon afterwards ſent a Bill to your Honours, to cloſe the Accounts and Tranſactions of the Inſpectors, and provide for the Payment of the County Levies and Parochial Charges, which have been intimately connected with the Inſpection Act; and ſtill further to leſſen the Burden on the People of Tobacco Payments, we ſent you another Bill, to give an Alternative in the Payment of Lawyers Fees, which ſtood in Tobacco, on a legal Eſtabliſhment; but you defeated our Intentions, by propoſing an Amendment, by which all thoſe Parts of the Bill, which provided for the Payment of the County Levies and Parochial Charges, would have been left out; and by propoſing a Regulation on Lawyers, which your Houſe was never fond of, but to deſtroy thoſe of the Profeſſion who have concurred with others in oppoſing the Encroachments of Power. Your Honours then ſent us down a Bill to continue the Inſpection Law, and the ſupplementary Act thereto, except the Parts therein excepted; which would have continued the Regulation of the Staple ſeparate from that of the Fees of Officers, and would alſo have continued the Mode of paying the Levy; but for ſome Reaſon or other there ſpeedily followed, by your Advice, as a Council of State, an abrupt Prorogation, which put an End to that Bill. With very few and ſmall Alterations, we again, as ſoon as could be, ſent you the Inſpection Bill, which ſtill lies before you, and has been the Occaſion of many Meſſages, which we are apprehenſive have not even yet fully removed all Miſunderſtanding between us.

We do not clearly comprehend what your Honours call Abuſes, and, by your Language in the Two laſt Meſſages, are of Opinion, you are unacquainted with what we call Abuſes. We now therefore requeſt your Honours will be pleaſed to inform us, Whether you eſteem the Fees charged by the Commiſſary General for Services done by the Deputies, and for which they are paid, which have been eſtimated at the annual Amount of above 60,000 ℔ of Tobacco, an Abuſe of the old Regulation or not? Whether your Honours eſteem the Charge for recording Papers by the Secretary and County Clerks, in Actions diſcontinued, abated, ſtruck off, or agreed, when they are not, nor need be, recorded, an Abuſe or not? Whether your Honours eſteem the Charge of 300 ℔ of Tobacco, by Surveyors, for laying down adjacent Tracts, merely to correct the Errors of an original Survey, an Abuſe or not? Whether your Honours eſteem the Charge of 300 ℔ of Tobacco, as for a Reſurvey, by a Surveyor for ſurveying or laying down each Tract of Land on a Warrant of Survey from the Provincial Court, an Abuſe or not? And whether the like Charge of 300 ℔ of Tobacco, for any Tract laid down only for Illuſtration, is an Abuſe or not? Whether your Honours eſteem the Charge by the Examiner General, on every Plat laid down for Illuſtration, and on every Piece of Vacancy added, as on ſeparate and diſtinct Tracts, an Abuſe or not? Whether your Honours eſteem the additional Charge of Order in the Commiſſary's Office to almoſt every Act done therein, and which hath been eſtimated at the annual Amount of above 40,000 ℔ of Tobacco, when the Table makes the Allowance only "for Orders in teſtamentary Cauſes," an Abuſe or not? Whether your Honours eſteem a Charge for Services never performed an Abuſe or not?—All theſe Charges we are moſt clear in Opinion are Abuſes, and ſuch as we are determined never to permit; to prevent therefore any Diſappointment,

---

[Nº. 1317.]

TE.

hat of this Country is
the People in Awe,
rade declines, our Fi-
Credit loſt, the People
ds of the Farmers of the
Conſtitutions are over-
e Scourge of divided
cute their own Schemes
we are oppreſſed by an
who was formerly
d who now is the Cauſe
bvert the Order of the
il War not only among
King and the Princes of
ſtrates: The reſpectable
ers and Supporters of the
ted in Places of Confine-
, and ſacrificed to a vile
Great Pains are taken to
turally of a good Diſpo-
ormed of the State of this
nt People are diſgraced,
racter, only, are loaded
very Thing is given up
is capable of inventing
reſſion, and Debauchery,
r preſent Situation, diſ-
hout Exaggeration."

ublin, September 12.
neſs and ill Deſigns of
e daily Attempts which
ce the few honeſt Men
r Country. A few Days
nber for Wexford (who
53) was applied to by
a conſiderable Sum of
ernment, which he has
Lord Townſend made
t if he would join the
n Employment, which
Lordſhip's Phraſe;) and
was due to him by Go-
Jones ſpiritedly anſwer-
, and deſpiſed the Mo-
How is a Man to come
d to give up his Coun-
is his own? There
making here, in order
to be called Com-
irſt Commiſſioner is to
her Five 500l. a Year
iſſioner was intended
Commiſſioners are to
y, very faithfully and
Clerks of the Cuſtom-
y well paid at 200l.

November 19.
ither, was chaſed by a
Shot at him.
ell, junr. Eſq; of this
Commiſſioners of his
George Meſerve, Eſq;
Collector for the Port
llowell, Eſq; Deputy
mptroller for the Port

-Hampſhire, dated laſt

who arrived at Caſco-
in Lat. 32, Long. 69.
e with Capt. Steven-
mouth to Cape-Fear,
when he left England,
ed every Day againſt
d did not doubt, but
ort it took Place:—
ſſage, he was chaſed
Man of War, but
ere that this may
uld make Buſineſs
perhaps put an End to our
and America.
r New-York, by Philadel-
rms, That the Plague was
broke out in the Iſland of Hiſpaniola.

Line, beſides Frigates, &c.

Lord North pledged his Word in a certain Place ſome Time ſince, that we ſhould have no War for Ten Years.

Great-Britain will ſhortly have Seventy Ships of the Line in actual Service, including the Fleets now getting ready.

It is aſſured that ſome Gentlemen belonging to the Bill of Rights, are determined to try the Validity of Preſs Warrants.

Letters now in Town aſſure, that Diſpatches have been received by the French Court from the Ottoman Porte, wherein the King of France is moſt earneſtly entreated to afford them Succour, for which, Subſidy, and an Extenſion of Trade, is offered.

We have it from good Authority, that a Treaty of great Importance is upon the Point of being concluded

Extract of a Letter from Warſaw, Auguſt, 19.

"Advice has been received at Lemberg, that Gen. Tottleben had gained a complete Victory over the Turks, commanded by 4 Baſhaws in Armenia, the Conſequence of which was the taking of Erzerum. The Turks loſt upon this Occaſion 6000 Men, 15 Pieces of Cannon, ſeveral Staffs of Command, Horſes Tails, and a great Number of Tents."

Extract of a Letter from Paris, dated September 6.

"Our Situation becomes every Day more critical. The Laws are trampled under Foot, and we are at the Point of ſeeing ourſelves in a worſe Condition than the Turks or the Ruſſians, with this Difference, that they

PHILADELPHIA, *November* [illegible].

Thurſday laſt arrived here the Ship Warwick, Capt. Davidſon, from Briſtol, which he left the 3d of October in Company with the Brig Concord, Capt. Volans, for this Port; on his Paſſage the 13th of October, in Lat. 42, 47, Long. 26, 42, ſpoke the Ship Polly, Capt. Kelty, from Maryland for London, out Four Weeks and ſhort of Proviſions; Capt. Davidſon ſpared him a Barrel of Beef, otherwiſe all well: And on the 15th of October in Lat. 40, 28, Long. 28, 46, ſpoke the Ship Friendſhip, Capt. Wilſon, from Black River, in the Bay of Honduras, for London, 11 Weeks out, Capt. Wilſon ſick, and in want of ſeveral Neceſſaries, which Capt. Davidſon ſpared him.

ment, we requeſt your Honours will let us know explicitly your Senſe of theſe Particulars. If you are of Opinion there are real Abuſes, and a Correction appears to you to be expedient, we ſhall, on our being informed thereof, expect a happy Iſſue from the Conference which we propoſed, and which on theſe Terms we are ready to enter into. We ſhall certainly inſtruct our Conferees, that theſe Charges are Abuſes, and muſt in all Events be provided againſt; and unleſs your Honours agree with us herein, as no good Effects can be expected from a Conference, we have only to repeat our Requeſt, that you will be pleaſed to let us know, whether you are willing to paſs the Bill as a Regulation of the Staple, Lawyers Fees, Clergy's Allowance, and the Payment of the Publick, County, and Parochial Charges; leaving Officers Fees to be provided for at a ſubſequent Seſſion.

Signed by Order,
JOHN DUCKETT, Clk. Lo. Ho.

By the UPPER HOUSE of ASSEMBLY, 20th *November*, 1770.

GENTLEMEN,

WE have declared, in the moſt explicit Terms, that we were willing to concur with you in explaining, correcting, altering, or enforcing the Proviſions of the old Regulation of Fees, in every Inſtance, wherein real Defects have been diſcovered.

This we thought was a ſufficient Anſwer to your general Complaint of Abuſes, of "Pretences you eſteemed to be Abuſes." What you eſteemed to be Abuſes, we were of Courſe to be informed of by yourſelves; if a Conference had taken Place, it would have been our Part to have received your Information, conſidered your Evidence, examined the old Regulation, weighed your Reaſons, and formed and communicated to you our Opinion on the Subject; but inſtead of purſuing the Matter in this regular Train, you are pleaſed to ſay, that you do not clearly comprehend what we call Abuſes, and are of Opinion we are unacquainted with what you deem ſuch, when we merely repeated, in your own Language, that we ſhould be ready to join you in correcting the Practices you eſteemed to be Abuſes, if they ſhould appear to us in the ſame Light.

What you might think to be Abuſes we could not divine, and apprehended it would be our proper Time to judge thereof, after we had been fully apprized of, and examined your Proofs, conſidered accurately the alledged defective Parts of the old Regulation, and deliberated on all the Information you could give us. We have referred to no Abuſes, but in the recital of your own Expreſſions; and preſuming you underſtood your own Meaning, we did not apprehend you could be at a Loſs in aſcertaining what Charges of Abuſes were to be produced, and become the Subject of Conference.

As to the Matters contained in your Queſtions, they would have been properly under Conſideration, if a Conference had been agreed upon, in Order to effectuate the Paſſage of the Law; but permit us to obſerve, that the Queſtions, as you have propoſed them, are of a very extraordinary Nature, and of a Tendency inconſiſtent with the Spirit of our Conſtitution. The Reſolves or Declarations of one, or both Houſes of Aſſembly, however aſſertive in Opinion, and vehement in Expreſſion, are not Laws, nor ought they to be promulgated, to direct or influence the Determination of the appointed legal Courts; Juries and Judges ought there to give their Deciſions without Prejudice or Bias. Whether any Officer has been guilty of Extortion, is a Queſtion, which neither your nor our Declaration ought to prejudicate; but that our Declarations held out to the Publick would have, in no ſmall Degree, this Effect, can hardly be doubted; and, on our Part particularly, ſuch a Declaration would be the more improper, the laſt legal Appeal in this Province being to us; it would be to anticipate Queſtions, before they come to us through their regular Channel, to decide firſt, and hear afterwards.

If the Commiſſary General, Secretary, Clerks of Counties, Examiner, and Surveyors, or any of them, have charged Fees the old Regulation does not juſtify, and the Proviſions of it really require Explanation, Correction, Alteration, or Enforcement, a competent Remedy might eaſily have been introduced on a Conference; but we muſt take the Liberty to remark, that whatever your Informations, and Enquiries, and Opinions may be, we have very great Reaſon to ſuſpect, that the Repreſentation (let the Deſign of it be what it may) aimed at in your Queſtions, cannot be maintained on juſt and legal Grounds.

The Principle you advance is certainly true, that where a Law expreſsly regulates and aſcertains the Reward to be paid for a Service, it ought to be obſerved: A Principle which regards not Perſons, their Callings, or their Profeſſions, but equally extends to all; and if there be any Reaſon for Enforcements, in particular Inſtances, it reſults from the Circumſtance, that, in ſuch Inſtances, the Power to extort and oppreſs is leſs reſiſtable than in other. The Officer, without Doubt, ought to be held to a ſtrict Obſervance of the Reſtrictions provided to controul his Conduct; if he does not obſerve them, he is puniſhable; but yet there are favourable Opportunities given, by which Oppreſſion in this Caſe may be avoided. The Service is done on Credit, the Fee for it muſt be ſtated in Writing; if the Demand be illegal it may be refuſed, and conteſted. The Lawyer, by an Act of Aſſembly expreſſed in the cleareſt Terms, is prohibited from aſking for, demanding, receiving, or taking, any greater Fee, than is thereby eſtabliſhed. On the above Principle, he ought to be held to an Obſervance of this Law. He, moreover, has it in his Power to oblige the Perſon, who wants his Aſſiſtance, before the Buſineſs is undertaken, to pay his Demand. Hence he has it more in *his* Power than the Officer to extort and oppreſs, and therefore, if a Difference ſhould be made between them, it ought rather to be in binding the Lawyer with more Strictneſs than the Officer; but though you cannot deny the Exiſtence of the

RICHARD LEE, jun. Sheriff.

poſſeſſed by *William Cox*. For further Particulars apply to *Robert Chriſtie*, jun. in *Baltimore-Town*.

ANNAPOLIS: Printed by ANNE CATHARINE GREEN, at the PRINTING-OFFICE: Where all Perſons may be ſupplied with this GAZETTE, at 12*s*. 6*d*. a Year; ADVERTISEMENTS, of a moderate Length, are inſerted the Firſt Time, for 5*s*. and 1*s*. for each Week's Continuation. Long Ones in Proportion to their Number of Lines.——At ſame Place may be had, ready Printed, moſt kinds of BLANKS, viz. COMMON and BAIL BONDS; TESTAMENTARY LETTERS of ſeveral Sorts, with their proper BONDS annexed; BILLS of EXCHANGE; SHIPPING-BILLS, &c. &c. All Manner of PRINTING-WORK performed in the neateſt and moſt expeditious Manner, on applying as above.

the Law, which lays theſe Reſtrictions on the Lawyers, yet you are of Opinion that he, with more Power to oppreſs, ought not to be ſo ſtrictly bound as the Officer, who has leſs, becauſe you ſuppoſe we propoſed the Amendment to your Bill, intitled, "*An Act to eaſe the Inhabitants of* "*this Province in the Payment of Attornies Fees*," with a View "to deſtroy thoſe of the Profeſſion "who have concurred with others in oppoſing the Encroachments of Power." If an Obſervance of the Law would be really ſo miſchievous as to deſtroy theſe Gentlemen, it ought to be repealed or rendered leſs rigorous; for a Law which intends to bring Deſtruction upon the Objects of it, without their Fault, is cruel indeed; and a Law that ought not to be obſerved, is extremely injudicious, and therefore ought to be abrogated, and eſpecially as the Example, in Violations of it, may have a bad Effect upon the Manners of the People, who may thereby be induced to think, that they may diſobey what they find in the Obſervance to be injurious to their Intereſts.

The Exorbitancy of the Profits of the Officers muſt appear, from the publiſhed Liſts, to be very great indeed, to thoſe who are unacquainted with the Deductions therefrom; They may be aſſiſted with, or form very alarming Eſtimates from them; but we have preciſely propoſed, that in Lieu of all other Profits, Advantages and Emoluments, there may be allowed to the Secretary, Commiſſary-General, and Judges of the Land-Office, an annual Income of £. 600 Sterling, but this you have rejected. If this Income would fall ſhort of the Profits which aroſe from the old Regulation, why not, as good Stewards, ſecure, on ſo fair an Opportunity, the Overplus for the publick Uſe? This, we muſt do you the Juſtice to ſay, you would not decline if a Saving was expected; but you think the £. 600 *per Annum* too much; we think otherwiſe; and you are apprehenſive there would not be the ſame Diligence in advancing the Intereſt of the Publick as there is now employed for the Benefit of the Officers.

Extortion or Oppreſſion you would not deſire, and if Officers commit the Crime becauſe they gain by it, the Plan is ſtrongly recommended, by the very Circumſtance, that it would take away all Temptation to extort or oppreſs; but ſurely there can be very little Ground to imagine, that Buſineſs, on Application, would be refuſed to be done by Perſons accountable to the Aſſembly, as well as to the Parties applying; that Fees would not be charged for Services, when Negligence would be liable to ſo eaſy Detection, and to ſo ſevere Animadverſion; or that Sheriffs would be leſs regular in their Collections and Returns, when their Accounts would be ſubject to the Review of ſo many Gentlemen, beſt acquainted with the People, in every County of the Province. No Alternative, as you have ſuggeſted, given by the Act of 1747 to the Planters, was intended to be taken from them, but a new one was offered, which that Act did not give, and the Planter would, moreover, have had an Opportunity of diſcharging Fees, at the Rate of 12/6 *per* 100 *lb.* of Tobacco by an immediate Payment, which he might eaſily make. The principal Services he would have Occaſion for, might be rated as ſoon as performed, and the incidental Charges ariſing on Court Proceedings would not be payable till done, and when done, would be as eaſily rated as any other, and as eaſily in this Province as in any Place where a ſimilar Rule obtains. Tho' the Points between us at preſent do not depend on the Propoſals made in the laſt, but on thoſe made in this Seſſion, and therefore it is not now very material to conſider what would have been the Effect of the old Propoſals, if adopted, ſince they have been ſuperſeded by new ones; yet the Attention due to your laſt Meſſage would not allow us altogether to paſs over, without Notice, the former Proceedings.

On what Reaſons the Governor was adviſed, or thought proper to prorogue the Aſſembly lately, we are not at large to inform you; but they were ſuch, as we are perſuaded can be fully ſuſtained on the Principles of our Conſtitution.

The Points between us in this Seſſion are, whether our Staple ſhall be under the Regulation, from which ſo great Benefits have been inconteſtably derived, for a Courſe of Twenty-three Years, to this Province, and to the neighbouring one for a much longer Period; whether there ſhall be provided a convenient Method of complying with an Act of Parliament founded moſt probably upon the Inſpection Act; whether the Fees of Officers and Lawyers ſhall be payable in Tobacco or Money, at the Rate of 12/6 *per* 100 lb. at the Choice of the People, as may beſt ſuit their Circumſtances, and the Poll-Tax in Tobacco or Money, at the ſame Rate, with the ſmall Addition of 2/6 *per* Poll, in Caſe of Money Payments; whether the old Regulation, originally eſtabliſhed on much Deliberation, and continued by ſo many different Aſſemblies, ſhall ſtand, except in ſuch Inſtances wherein Abuſes are juſtly chargeable to its Defects; in Reſpect of which, on their being properly and regularly pointed out on a Conference, we have repeatedly expreſſed our willingneſs to join you in explaining, correcting, altering or enforcing the Proviſions. We have moſt clearly and expreſsly declared our Deſire that a Law might paſs for the above Purpoſes; unhappily, we fear, for the Province, you differ with us in Opinion, and therefore we have returned your Bill with a Negative, extremely ſorry that the Time taken up has been productive of ſo great Expence and ſo little Advantage to the Country.

Signed by Order,

U. SCOTT, Cl. Up. Ho.

[No. 1317.]

TTE.

nd that of this Country is
Keeps the People in Awe,
r Trade declines, our Fi-
ick Credit loſt, the People
uſneſs of the Farmers of the
ntal Conſtitutions are over-
the Scourge of divided
execute their own Schemes
er; we are oppreſſed by an
State, who was formerly
and who now is the Cauſe
ſubvert the Order of the
ual War not only among
King and the Princes of
giſtrates: The reſpectable
ders and Supporters of the
nated in Places of Confine-
s, and ſacrificed to a vile
Great Pains are taken to
aturally of a good Diſpo-
formed of the State of this
nt People are diſgraced,
racter, only, are loaded
very Thing is given up
is capable of inventing
eſſion, and Debauchery,
r preſent Situation, diſ-
thout Exaggeration."

Dublin, September 12.

tneſs and ill Deſigns of
e daily Attempts which
uce the few honeſt Men
r Country. A few Days
mber for Wexford (who
753) was applied to by
a conſiderable Sum of
ernment, which he has
Lord Townſend made
t if he would join the
in Employment, which
s Lordſhip's Phraſe;) and
was due to him by Go-
Jones ſpiritedly anſwer-
, and deſpiſed the Mo-
How is a Man to come
d to give up his Coun-
h is his own? There
making here, in order
to be called Com-
irſt Commiſſioner is to
her Five 500l. a Year
miſſioner was intended
Commiſſioners are to
w, very faithfully and
Clerks of the Cuſtom-
ty well paid at 200l.

November 19.

ither, was chaſed by a
Shot at him.
ell, junr. Eſq; of this
Commiſſioners of his
George Meſerve, Eſq;
Collector for the Port
llowell, Eſq; Deputy
mptroller for the Port

-Hampſhire, dated laſt

who arrived at Caſco-
t in Lat. 32. Long. 69.
e with Capt. Steven-
mouth to Cape-Fear,
when he left England,
ed every Day againſt
d did not doubt, but
ort it took Place:—
aſſage, he was chaſed
Man of War, but
ere that this may
ould make Buſineſs

Mediterranean, amounts to Sixty-ſeven Ships of the Line, beſides Frigates, &c.

Lord North pledged his Word in a certain Place ſome Time ſince, that we ſhould have no War for Ten Years.

Great-Britain will ſhortly have Seventy Ships of the Line in actual Service, including the Fleets now getting ready.

It is aſſured that ſome Gentlemen belonging to the Bill of Rights, are determined to try the Validity of Preſs Warrants.

Letters now in Town aſſure, that Diſpatches have been received by the French Court from the Ottoman Porte, wherein the King of France is moſt earneſtly entreated to afford them Succour, for which, Subſidy, and an Extenſion of Trade, is offered.

We have it from good Authority, that a Treaty of great Importance is upon the Point of being concluded

by the laſt Packet, mention a Report, which prevailed there, of an intended Rupture with England; and that they every Hour expected a Declaration of War to be made there.

Extract of a Letter from Warſaw, Auguſt, 10.

"Advice has been received at Lemberg, that Gen. Tottleben had gained a complete Victory over the Turks, commanded by 4 Bathaws in Armenia, the Conſequence of which was the taking of Erzerum. The Turks loſt upon this Occaſion 6000 Men, 15 Pieces of Cannon, ſeveral Staffs of Command, Horſes Tails, and a great Number of Tents."

Extract of a Letter from Paris, dated September 6.

"Our Situation becomes every Day more critical. The Laws are trampled under Foot, and we are at the Point of ſeeing ourſelves in a worſe Condition than the Turks or the Ruſſians, with this Difference, that they

ker, Caſh plentier, and perhaps put an End to our Diſputes both in England and America.

A Gentleman arrived at New-York, by Philadelphia, from Jamaica, informs, That the Plague was broke out in the Iſland of Hiſpaniola.

PHILADELPHIA, *November* 22.

Thurſday laſt arrived here the Ship Warwick, Capt. Davidſon, from Briſtol, which he left the 3d of October in Company with the Brig Concord, Capt. Volans, for this Port; on his Paſſage the 13th of October, in Lat. 42. 43, Long. 26. 48, ſpoke the Ship Polly, Capt. Kelty, from Maryland for London, out Four Weeks and ſhort of Proviſions; Capt. Davidſon ſpared him a Barrel of Beef, otherwiſe all well: And on the 15th of October in Lat. 40. 28, Long. 25. 46, ſpoke the Ship Friendſhip, Capt. Wilſon, from Black River, in the Bay of Honduras, for London, 11 Weeks out, Capt. Wilſon ſick and in want of ſeveral Neceſſaries, which Capt. Davidſon ſpared him.

ADVERTISEMENTS.

Anne-Arundel County, *November* 21, 1770.

To be SOLD *at Publick Vendue, on Tueſday the* 4th *of December next, at the late Dwelling-Houſe of* John Davidge,

SEVERAL Choice Country-born Negroes, and One white Servant Man, who is a good Blackſmith, and has about Three Years to ſerve; alſo a large Stock of Horſes, Cattle, Sheep and Hogs, Houſhold Furniture, &c.

All Perſons, having any Claims againſt *John Davidge's* Eſtate, are deſired to bring their Accounts in legally proved; and thoſe that are indebted to the ſaid Eſtate are deſired to pay the ſame to

(w2) ONNER DAVIDGE, Executrix.

N. B. If the above Day of Sale is not fair, the Sale to be on the firſt fair Day afterwards; and to continue 'til all are ſold. Terms to be agreed on the Day of Sale. *O. D.*

Alexandria, November 10, 1770.

PROPOSALS for publiſhing by Subſcription, Six elegant Pieces of Muſick, compoſed by the Subſcriber, who has requeſted the Favour of the following Gentlemen to take in Subſcriptions; *viz.* Dr. *William Rumney*; Meſſ. *Harry Piper*, *James Stewart*, and *Charles Turner*, at *Alexandria*; Mr. *William Grayſon* and Dr. *Graham*, at *Dumfries*; Mr. *Adam Stewart*, at *George-Town*; Meſſ. *William Sydebotham*, *Richard Thompſon*, and *Andrew Leitch*, at *Bladenſburg*; Meſſ. *Chriſtopher Richmond* and *George Digges*, at *Upper-Marlborough*; Mr. *Thomas Clagett*, at *Piſcataway*; Mr. *John Barnes*, at *Port-Tobacco*; Mr. *Charles Peale*, at *Annapolis*; and Meſſ. *Michael Hillegas* and *Joſeph Hall*, in *Philadelphia*.

The Terms are as follow:

I. This Work is to be neatly engraved in the Copper-Plate Method, or in Manuſcript; and ready to be delivered to the Subſcribers in Eighteen Months from this Date.

Each Subſcriber is to pay One Dollar at the Time of ſubſcribing, and One Dollar more on Delivery of the Book.

CHARLES LEONARD.

November 22, 1770.

To be CHARTERED,

THE Brigantine, *Swan*, Burden 180 Tons, now lying at *Baltimore* Town. For Terms apply to *Richard Button* in *Baltimore*, or *Thomas Williams* and Co. in *Annapolis*.

THERE is at the Plantation of *David John Oden*, living in *Brocks-Branch*, on *Seneca*, taken up as a Stray, a large bay Mare, neither branded or docked, has a Star in her Forehead, ſhod before, and paces ſlow.

The Owner may have her again, on proving Property and paying Charges. (w3)

To be ſold by private or publick Sale,

ALL that Piece or Part of Two Lots of Ground, lately the Property of *Thomas Clendenning*, lying and being in that Part of *Baltimore-Town*, formerly called *Jones's* Town, now in the Tenure and Occupation of Mr. *Thomas Sligh*. The Title is indiſputable, which may be known, with the Terms, by applying to the ſaid *Thomas Sligh*, on the Premiſes, or to

(tf) BASIL BURGESS.

November 14, 1770.

STRAYED or STOLEN from the Subſcriber, living at *Elk-Ridge* Landing, about the laſt of *Auguſt*, a middle ſize bay Mare, branded on the near Buttock thus S C, about Four Feet Six or Seven Inches high, has a ſmall Star in her Forehead, a hanging Mane, ſwitch Tail, paces ſlow, trots and gallops. Any Perſon that will ſend the ſaid Mare to the Owner, ſhall receive Forty Shillings Reward, paid by (w3) JOHN TOPPIN.

THERE is at the Plantation of *David Crawford*, near *Upper-Marlborough*, and has been at and about the Plantation for near Four Years, a red Bull, with a white Spot in his Forehead, his left Ear cropt and has a Slit, and the right Ear cropt; he is about 8 Years old.

The Owner may have him again, on proving Property and paying Charges.

ALL Perſons having Claims againſt the Eſtate of Doctor *John Smyth*, late of *Queen-Anne's* County, deceaſed, are deſired to bring them in; and all thoſe who are indebted to the ſaid Eſtate are requeſted to be ſpeedy in their Payment.

WILLIAM SMYTH,
(w4) JAMES R. BLUNT, Executors.
J. THOMPSON,

N. B. Thoſe indebted to the Partnerſhip of *Smyth* and *Garnett*, are likewiſe called upon to ſettle ſoon.

TWENTY DOLLARS REWARD.

RAN away from the Subſcriber, living in *Anne-Arundel* County, in the Province of *Maryland*, about the 13th of *Auguſt* laſt, a convicted Servant Man, named JOHN SHIELDS, *alias* JOHN WILSON, a *Scotchman*, about Thirty Years of Age, Five Feet Eight or Nine Inches high, round ſhouldered, of a dark Complexion, has a black Beard and ſhort black Hair, is bald on the Top of his Head, but wears ſome Hair tied on with a String, in order to conceal it; he talks very broad *Scotch*: Had on and took with him a blue Cloth Coat, ſtriped Waiſtcoat, Oſnabrig and white Shirts, Country made Shoes, Worſted Stockings and Felt Hat. It is probable he will change his Dreſs and forge a Paſs. Whoever apprehends the ſaid Servant, and ſecures him in any Jail, that I may get him again, ſhall receive Five Pounds Reward, if taken in the Province of *Maryland*, and Twenty Dollars if out of the Province.

(tf.) JOHN DORSEY.

Auguſt 1, 1770.

THE Subſcriber takes this Method of acquainting his Friends and the Publick, that he has now for Sale, at Mr. *James Harris's* Store, the Third Houſe above the Market-Houſe in *Baltimore-Town*, all Sorts of manufactured Tobacco of the beſt Quality, both for Chew and Smoak; Country made Snuff of many Kinds, equal to any manufactured on this Continent, *viz.* Plain Scotch, high Toaſt, Rappee and Spaniſh.

As he purpoſes to keep a conſtant Supply of thoſe Articles, both at *Bladenſburg* (where the Manufactory is ſtill carried on) and at *Baltimore*, he requeſts all thoſe who will favour him with their Cuſtom, either in the wholeſale or retail Way, that they will direct their Orders to Mr. *James Harris*, Merchant in *Baltimore*, and thoſe who are moſt convenient to *Bladenſburg*, to apply to the Manufacturer himſelf.

He will ſell by private Contract, Two well improved Lots in *George-Town*, *Frederick* County.

(tf) RICHARD THOMPSON.

N. B. Five Shillings *per* Dozen ready Money, for Snuff-Bottles, both at *Bladenſburg* and *Baltimore*.

September 23, 1770.

WHEREAS there came a Man to the Subſcribers Houſe, in *Baltimore-Town*, on the 20th Inſtant, with a dark bay Horſe, 8 Years old, about 15 Hands high, marked on the near Buttock thus O and having offered the ſaid Horſe for Sale, I being ſuſpicious that he had no right to ſell the ſame, intended to take him up, but he ran away the 21ſt in the Evening.

Notice is hereby given, that the Owner mad have the Horſe again, on proving Property any paying Charges.

(tf) WILLIAM LAVELY.

RICHARD LEE, Jun. Sheriff.

poſſeſſed by *William Coe*. For further Particulars apply to *Robert Chriſtie*, jun. in *Baltimore-Town*.

ANNAPOLIS: Printed by ANNE CATHARINE GREEN, at the PRINTING-OFFICE: Where all Perſons may be ſupplied with this GAZETTE, at 12*s.* 6*d.* a Year; ADVERTISEMENTS, of a moderate Length, are inſerted the Firſt Time, for 5*s.* and 1*s.* for each Week's Continuance. Long Ones in Proportion to their Number of Lines.——At ſame Place may be had, ready Printed, moſt kinds of BLANKS, *viz.* COMMON and BAIL BONDS; TESTAMENTARY LETTERS of ſeveral Sorts, with their proper BONDS annexed; BILLS of EXCHANGE; SHIPPING-BILLS, &c. &c. All Manner of PRINTING-WORK performed in the neateſt and moſt expeditious Manner, [illegible] above.